Message

From: Vizian, Donna [Vizian.Donna@epa.gov]
Sent: 6/27/2017 2:19:41 AM
To: Hunt, Loretta [Hunt.Loretta@epa.gov]
CC: Showman, John [Showman.John@epa.gov]; Gray, Linda [gray.linda@epa.gov]; Carpenter, Wesley [Carpenter.Wesley@epa.gov]; Hart, Debbi [Hart.Debbi@epa.gov]; Parker, Gary [parker.gary@epa.gov]; Terris, Carol [Terris.Carol@epa.gov]
Subject: Re: Update for EPA's VERA/VSIP business case and targeted positions Email 2 of 2

Loretta. Do you think they are looking for me to do the briefing?

On Jun 26, 2017, at 5:46 PM, Hunt, Loretta <Hunt.Loretta@epa.gov> wrote:

Donna,

OMB wants to meet with EPA to discuss the agency's business case.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Grossman, Andrea L. EOP/OMB Ex. 6 - Personal Privacy
Sent: Monday, June 26, 2017 5:31 PM
To: Hunt, Loretta <Hunt.Loretta@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Parker, Gary <parker.gary@epa.gov>; Schulman, Marvin <Schulman.Marvin@epa.gov>; McNeal, Detha <McNeal.Detha@epa.gov>; Kuhns, Jason <Kuhns.Jason@epa.gov>; Terris, Carol <Terris.Carol@epa.gov>; Hickey, Mike J. EOP/OMB Ex. 6 - Personal Privacy Mulligan, James S. EOP/OMB Ex. 6 - Personal Privacy
Subject: RE: Update for EPA's VERA/VSIP business case and targeted positions Email 2 of 2

Loretta,

OMB would like to request a presentation from EPA on this VERA/VSIP proposal. We are hoping to get some insight into the broader strategy at play. This could also be an opportunity to informally ask some of our initial questions as we learn more about the package.

Would someone from EPA be available for a meeting this week (potentially Wednesday afternoon, recognizing the time sensitivity of the package)? I can reserve a conference room here at the New Executive Office Building and arrange for building clearance.

Thank you,

Andrea Grossman
Program Examiner, OMB Environment Branch
202-395-4756

From: Hunt, Loretta [mailto:Hunt.Loretta@epa.gov]
Sent: Thursday, June 22, 2017 6:52 PM
To: Hickey, Mike J. EOP/OMB Ex. 6 - Personal Privacy Mahoney, Michael J <Mike.Mahoney@opm.gov>; Snowden, Gregory A <Gregory.Snowden@opm.gov>; Coleman, Darrell E <Darrell.Coleman@opm.gov>; Thornton, Cathryn <Cathryn.Thornton@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; Grossman, Andrea L. EOP/OMB Ex. 6 - Personal Privacy
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Parker, Gary <parker.gary@epa.gov>; Schulman, Marvin <Schulman.Marvin@epa.gov>; McNeal, Detha <McNeal.Detha@epa.gov>; Kuhns, Jason <Kuhns.Jason@epa.gov>
Subject: RE: Update for EPA's VERA/VSIP business case and targëted positions Email 2 of 2

The document attached replaces document #3 sent on 6/16/17.

Thanks.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Hunt, Loretta
Sent: Thursday, June 22, 2017 6:48 PM
To: 'Hickey, Mike J. EOP/OMB' Ex. 6 - Personal Privacy 'Mahoney, Michael J' <Mike.Mahoney@opm.gov>; 'Snowden, Gregory A' <Gregory.Snowden@opm.gov>; Coleman, Darrell E <Darrell.Coleman@opm.gov>; Thornton, Cathryn <Cathryn.Thornton@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; 'Andrea_L_Grossman Ex. 6 - Personal Privacy <Andrea_L_Grossman Ex. 6 - Personal Privacy
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Parker, Gary <parker.gary@epa.gov>; Schulman, Marvin <Schulman.Marvin@epa.gov>; McNeal, Detha <McNeal.Detha@epa.gov>; Kuhns, Jason <Kuhns.Jason@epa.gov>
Subject: Update for EPA's VERA/VSIP business case and targeted positions Email 1 of 2

OPM and OMB,

EPA's Region 9's office had to revise their information to remove one position. The documents attached should replace documents #4 and #6 that were sent on 6/16/17.

Thanks.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

Message

From: Taylor, Jeremy [Taylor.Jeremy@epa.gov]
Sent: 7/7/2017 1:59:07 PM
To: Hart, Debbi [Hart.Debbi@epa.gov]; Coomber, Robert [coomber.robert@epa.gov]; Corbett, Krysti [Corbett.Krysti@epa.gov]; Engebretson, Lizabeth [Engebretson.Lizabeth@epa.gov]; Bonner, Jerome [Bonner.Jerome@epa.gov]; Helm, Arron [Helm.Arron@epa.gov]; Peabody, Hitch [Peabody.Hitch@epa.gov]
CC: Carpenter, Wesley [Carpenter.Wesley@epa.gov]; Gray, Linda [gray.linda@epa.gov]; Hunt, Loretta [Hunt.Loretta@epa.gov]; Parker, Gary [parker.gary@epa.gov]
Subject: RE: EPA Final VERA/VSIP Request--email 1 of 3

Hi Debbi,

Are the tweaks to the targeted position chart such that it changes what the positions are in any way or just cosmetic? We have been working to break that information down so that we can sort when people apply so any additional information would be appreciated rather than us sifting through.

Thanks!

Jeremy A. Taylor
OARM-RTP-HRMD
Director
919-541-0537

OARM-RTP SERVE. SOLVE. COLLABORATE.

CONFIDENTIALITY: This communication may contain privileged or other confidential information. If you are not the intended addressee, or believe you have received this communication in error, you may neither copy, disseminate, nor distribute it to anyone else or use it in any unauthorized manner; to do so is strictly prohibited and may be unlawful. If you receive this email by mistake, please advise the sender immediately by using the reply facility in your mail software and delete it from your computer. "Information in this message may be subject to the Privacy Act (5 USC 552a) and should be treated accordingly."

From: Hart, Debbi
Sent: Friday, July 07, 2017 9:11 AM
To: Coomber, Robert <coomber.robert@epa.gov>; Corbett, Krysti <Corbett.Krysti@epa.gov>; Engebretson, Lizabeth <Engebretson.Lizabeth@epa.gov>; Bonner, Jerome <Bonner.Jerome@epa.gov>; Taylor, Jeremy <Taylor.Jeremy@epa.gov>; Helm, Arron <Helm.Arron@epa.gov>; Peabody, Hitch <Peabody.Hitch@epa.gov>
Cc: Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Hunt, Loretta <Hunt.Loretta@epa.gov>; Parker, Gary <parker.gary@epa.gov>
Subject: FW: EPA Final VERA/VSIP Request--email 1 of 3
Importance: High

All—

As submitted in final to OPM/OMB (we had to break it into three pieces so that OPM will receive it.) Arron please note that Loretta made minor tweaks to targeted positions chart so the attached version is slightly different than the one I sent yesterday. I will let you know what I hear from OPM and OMB--fingers crossed for quick final approval! Let me know if there are questions. Thank you! Debbi

From: Hart, Debbi
Sent: Friday, July 07, 2017 8:52 AM
To: Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>; Coleman, Darrell E <Darrell.Coleman@opm.gov>; Thornton, Cathryn <Cathryn.Thornton@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; Mulligan, James S. EOP/OMB Ex. 6 - Personal Privacy 'Grossman, Andrea L. EOP/OMB' Ex. 6 - Personal Privacy
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Parker, Gary <parker.gary@epa.gov>; Loretta Hunt <Hunt.Loretta@epa.gov>
Subject: EPA Final VERA/VSIP Request--email 1 of 3
Importance: High

Greetings All-

Thank you for your assistance with this effort. As for our informal request, we are submitting our final package in three pieces. Attached is our signed VERA/VSIP template request. This will be followed by our final business case and targeted positions table. Please let us know if there are any questions. Thanks again-- Debbi

Debbi Hart
Director
Policy, Planning & Training Division
OHR, OARM
USEPA
202.564.2011
hart.debbi@epa.gov

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Message

From: Vizian, Donna [Vizian.Donna@epa.gov]
Sent: 7/7/2017 2:54:22 AM
To: Hart, Debbi [Hart.Debbi@epa.gov]
CC: Showman, John [Showman.John@epa.gov]; Gray, Linda [gray.linda@epa.gov]; Carpenter, Wesley [Carpenter.Wesley@epa.gov]
Subject: Re: EPA Draft VERA/VSIP Request - theme chart for restructured positions

Thank you

On Jul 6, 2017, at 5:18 PM, Hart, Debbi <Hart.Debbi@epa.gov> wrote:

FYI.

From: Hart, Debbi
Sent: Thursday, July 06, 2017 5:10 PM
To: 'Snowden, Gregory A' <Gregory.Snowden@opm.gov>; Hunt, Loretta <Hunt.Loretta@epa.gov>
Cc: Mahoney, Michael J <Mike.Mahoney@opm.gov>
Subject: RE: EPA Draft VERA/VSIP Request - theme chart for restructured positions

Wonderful. Thank you both! We will submit our signed final package in the morning. Debbi

Debbi Hart
Director
Policy, Planning & Training Division
OHR, OARM
USEPA
202.564.2011
hart.debbi@epa.gov

****

From: Snowden, Gregory A [mailto:Gregory.Snowden@opm.gov]
Sent: Thursday, July 06, 2017 5:02 PM
To: Hunt, Loretta <Hunt.Loretta@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>
Subject: EPA Draft VERA/VSIP Request - theme chart for restructured positions
Importance: High

Loretta,

Thanks for the feedback during our recent phone conversation.

OPM has enough revised documentation to move forward with EPA's final submission.

Gregory Snowden
OPM

From: Hart, Debbi [mailto:Hart.Debbi@epa.gov]
Sent: Thursday, July 06, 2017 3:36 PM
To: Snowden, Gregory A; Hunt, Loretta

Subject: FW: EPA Draft VERA/VSIP Request - theme chart for restructured positions
Importance: High

From: Hart, Debbi
Sent: Wednesday, July 05, 2017 10:09 AM
To: 'Mahoney, Michael J' <Mike.Mahoney@opm.gov>
Subject: FW: EPA Draft VERA/VSIP Request Email 2 of 3 - OPM's Responses to Draft Targeted Positions In 22 Offices-- 6-29-2017
Importance: High

Hey Mike-

Please see the info and chart below. The chart shows the themes the agency developed and the narrative preceding it describes how the positions would be restructured. Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process. Does this help? Debbi

Any way we could use this theme chart to make our case about the majority of restructured positions?

1.
2.
3.
4.

Ex. 5 - Deliberative Process

EPA

Theme	# of Targeted Positions	# of Max Offers	Max Offers as % of Office Workforce
Delayering (increasing supervisor to staff ratio)	Ex. 5 - Deliberative Process		
Consolidate or reduce administrative or support functions			
Restructure or reduce highly graded supervisory and non-supervisory positions			
Restructure to focus on core business functions (administrative support)			

Restructure to focus on STEM/programmatic priorities	Ex. 5 - Deliberative Process
Consolidate and streamline functions/activities/reduce number of programs	
Unknown	
Total	

From: Hart, Debbi
Sent: Monday, July 03, 2017 9:37 AM
To: Mahoney, Michael J <Mike.Mahoney@opm.gov>
Subject: Re: EPA Draft VERA/VSIP Request Email 2 of 3 - OPM's Responses to Draft Targeted Positions In 22 Offices-- 6-29-2017

Thanks Mike - I've been pondering too! I'm checking back on what we have collected from each office and some preliminary theme estimates we have. Will let you know what I find. Also wondering if OPM would be Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process Debbi

Sent from my iPhone

On Jun 30, 2017, at 11:05 PM, Mahoney, Michael J <Mike.Mahoney@opm.gov> wrote:

> Hey Debbi,
>
> I've been pondering this dilemma all evening after we talked.
>
> Of the info we asked for, how much of it has already been provided? Do you have a ball park percentage? Ex. 5 - Deliberative Process
>
> I'm thinking out loud to some extent, but I'm wracking my brain to come up with something that will ease the burden on EPA and help further expedite the request
>
> -mike
>
> Sent from my iPad
>
> On Jun 30, 2017, at 4:17 PM, "Hart, Debbi" <Hart.Debbi@epa.gov> wrote:
>
> > Thanks. Can we please talk?

Debbi Hart
Director
Policy, Planning & Training Division
OHR, OARM
USEPA
202.564.2011
hart.debbi@epa.gov

****
**

From: Mahoney, Michael J [mailto:Mike.Mahoney@opm.gov]
Sent: Friday, June 30, 2017 3:15 PM
To: Hart, Debbi <Hart.Debbi@epa.gov>
Subject: RE: EPA Draft VERA/VSIP Request Email 2 of 3 - OPM's Responses to Draft Targeted Positions In 22 Offices-- 6-29-2017

Hi Debbie,

We will need a tad more info: rather than say '...in order to create opportunities for recruiting at lower grade levels' tell us what the lower grade level or levels are.

For example: Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

We just need a specific idea how the position will be restructured; that is to say, will the work be given to several GS 12s…one GS 13, 3 GS 11s and a GS 12, etc. etc? Shouldn't be that difficult (or cumbersome) to provide. If all similar position will be treated/restructured the same way – OK to give a blanket statement. If not, we'lll need to see for each position to be restructured

Hope this helps (can talk if need be, let me know)

-mike

From: Hart, Debbi [mailto:Hart.Debbi@epa.gov]
Sent: Friday, June 30, 2017 3:05 PM
To: Mahoney, Michael J
Subject: FW: EPA Draft VERA/VSIP Request Email 2 of 3 - OPM's Responses to Draft Targeted Positions In 22 Offices-- 6-29-2017
Importance: High

Mike—Would still like to talk to you about this. If we provide the level of detail Gregory is suggesting we will bury OPM in pages. As an example, one of our offices provided that level of detail and it is five pages in length. Our office-level business cases provide information about how the restructure might occur:

Ex. 5 - Deliberative Process

Based on our conversation yesterday, we thought this level of detail would be sufficient. I'm available today and Monday to discuss. I'm really concerned about our time line! Thanks Mike. Debbi

Debbi Hart
Director
Policy, Planning & Training Division
OHR, OARM
USEPA
202.564.2011
hart.debbi@epa.gov

****
**

From: Snowden, Gregory A [mailto:Gregory.Snowden@opm.gov]
Sent: Friday, June 30, 2017 2:48 PM
To: Hunt, Loretta <Hunt.Loretta@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>
Subject: RE: EPA Draft VERA/VSIP Request Email 2 of 3 - OPM's Responses to Draft Targeted Positions In 22 Offices-- 6-29-2017

Good afternoon Loretta,

Unfortunately, your examples are too broad under the VSIP law at 5 U.S.C. 3522.

VERA and VSIP are position-based authorities. OPM needs to see the positions that are surplus as a result of the workforce restructuring plans. Under the law, excess positions can either be 'eliminated' or 'restructured' under the VSIP plan. Surplus positions that are targeted to be eliminated cannot be refilled once a VSIP is paid and the position becomes vacant.

Only surplus positions that are targeted to be 'restructured' can be refilled, such as a change in title, series, grade level, FPL or newly restructured skills sets. For example, Systems Accountant, GS-510-14, restructured to a Systems Accountant, GS-510-9/13, FPL; or Systems Accountant, GS-510-14, restructured to a Program Analyst, GS-301-14.

For each position targeted to be restructured under the VSIP plan, EPA only needs to indicate the new title, series, grade, FPL or a few examples of the new skills sets required for the restructured position.

For your information, OPM received numerous inquiries from EPA OIG regarding the previously approved VERA/VSIP. The majority of the

inquiries dealt with how EPA's Offices carried out the restructuring goals under the approved VERA/VSIP authorities.

Please provide only the newly restructured title, series, grade, FPL or a few examples of the new skills sets for the targeted positions to be restructured under the VSIP plan.

Thank you for your assistance in this request.

Gregory Snowden
OPM

From: Hunt, Loretta [mailto:Hunt.Loretta@epa.gov]
Sent: Thursday, June 29, 2017 9:14 PM
To: Snowden, Gregory A; Mahoney, Michael J
Cc: Hart, Debbi
Subject: RE: EPA Draft VERA/VSIP Request Email 2 of 3 - OPM's Responses to Draft Targeted Positions In 22 Offices-- 6-29-2017
Importance: High

Greg/Mike,

Based on our discussion, it seems like OPM isn't expecting a long-drawn out explanation re: how EPA plans to restructure positions. Would it be okay to provide an agency-level description of restructuring rather than amending each region/program's section?

For example:

Ex. 5 - Deliberative Process

This is the actual criteria the agency uses when tracking post-VERA/VSIP hires to ensure programs and regions are adhering to the plans they put forth to reshape their workforce.

I will provide responses to the other comments from Greg and the Team but this seemed like an easy (I hope) fix. Let me know what you think. Thanks.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Snowden, Gregory A [mailto:Gregory.Snowden@opm.gov]
Sent: Thursday, June 29, 2017 1:46 PM
To: Hunt, Loretta <Hunt.Loretta@epa.gov>
Cc: Coleman, Darrell E <Darrell.Coleman@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; Hart, Debbi <Hart.Debbi@epa.gov>
Subject: EPA Draft VERA/VSIP Request Email 2 of 3 - OPM's Responses to Draft Targeted Positions In 22 Offices-- 6-29-2017

Good afternoon Loretta,

Attached please find OPM's comments/responses to EPA's Draft Targeted Positions under the VSIP plan for 22 offices. Thank you.

Gregory Snowden
OPM

From: Hunt, Loretta [mailto:Hunt.Loretta@epa.gov]
Sent: Friday, June 16, 2017 7:13 PM
To: Snowden, Gregory A; Mahoney, Michael J; Coleman, Darrell E; Thornton, Cathryn; Butler, Monica; Mulligan, James S. EOP/OMB
Cc: Vizian, Donna; Showman, John; Gray, Linda; Carpenter, Wesley; Hart, Debbi; Parker, Gary
Subject: Re: EPA Draft VERA/VSIP Request Email 2 of 3

EPA's targeted position spreadsheet.

From: Hunt, Loretta
Sent: Friday, June 16, 2017 6:55 PM
To: Snowden, Gregory A; Mahoney, Michael J; Coleman, Darrell E; Thornton, Cathryn; Butler, Monica; Mulligan, James S. EOP/OMB
Cc: Vizian, Donna; Showman, John; Gray, Linda; Carpenter, Wesley; Hart, Debbi; Parker, Gary
Subject: EPA Draft VERA/VSIP Request Email 1 of 3

The U.S. Environmental Protection Agency is submitting a draft VERA/VSIP request to OPM and OMB for review and comment. The agency is submitting one overall request but specific details are included for each program and regional office since the needs

of each organization varies. The agency is submitting the following documentation:

1. EPA's VSIP Request (.pdf)

2. EPA's VERA Request (.pdf)
3. Business cases (all contained in one Word file; the Table of Contents provides direct links to each of our 22 business cases)
4. Targeted positions spreadsheets for each office (Excel file)
5. Organization charts (one .pdf file)
6. Agency level analysis/summary slides (PowerPoint)

We will send three emails containing the agency's draft request and supporting documentation.

Should you have any questions or concerns about EPA's request, you may contact me at hunt.loretta@epa.gov; (202)564-6963 or Debbi Hart at hart.debbi@epa.gov; (202) 564-2011.

Thank you in advance for your assistance with EPA's workforce reshaping efforts.

Message

From: Gray, Linda [gray.linda@epa.gov]
Sent: 5/3/2017 9:06:20 PM
To: Hunt, Loretta [Hunt.Loretta@epa.gov]
CC: Hart, Debbi [Hart.Debbi@epa.gov]; Carpenter, Wesley [Carpenter.Wesley@epa.gov]
Subject: Fwd: New VERA and VSIP Streamlined Templates are Available
Attachments: VERA request template FINAL.pdf; ATT00001.htm; VSIP request template FINAL.pdf; ATT00002.htm; Top 10 FAQs - VERA and VSIP.pdf; ATT00003.htm

Sent from my iPhone

Begin forwarded message:

From: "Reinhold, Mark D" <Mark.Reinhold@opm.gov>
Date: May 3, 2017 at 4:39:14 PM EDT
To: "Bailey, Angela" <Angela.Bailey@hq.dhs.gov>, "Barber, Vicki" <vbarber@ftc.gov>, "Benjamin, Nathaniel H." Ex. 6 - Personal Privacy "Blair, Anita" <Anita.Blair@treasury.gov>, "Blanks, Julie A." <Julie.a.blanks.civ@mail.mil>, "Brooks, Towanda" <towanda.a.brooks@hud.gov>, "Chacon, Arnold" <ChaconAA@state.gov>, "Cohen, Miriam" <Miriam.Cohen@nrc.gov>, "Cuffee-Graves, Cassandra" <cassandra.cuffee-graves@ed.gov>, "Gibbs, Bob" <Robert.Gibbs@hq.doe.gov>, "Harris, Toni" <Antonia.harris@gsa.gov>, "Hernandez, Elias" <Elias.Hernandez@sba.gov>, "Hopkins, Nathaniel D." <Nathaniel.Hopkins@opm.gov>, "Jeanquart, Bobbi" <bobbi.jeanquart@dm.usda.gov>, Keith Washington <keith.washington@dot.gov>, "Kircher, Deborah" <Deborah.kircher@dni.gov>, "Leo, Lauren" <IMCEAEX-_O=NT5_ou=64152088f2ad234397bb172dd723f6fe_cn=845ced6328eb2f47be2a5a47e14af6e4@opm.gov>, "Lewis, Kim (USAid)" <klewis@usaid.gov>, "Lussier, Philippe" <lussierPA@state.gov>, "Mahoney, Kevin" <kmahoney@doc.gov>, "Major, Christine" <Christine.Major@hhs.gov>, "Mitchell, Pam" <Pamela.Mitchell3@va.gov>, Pletcher Mary <mary_pletcher@ios.doi.gov>, "Reinhold, Mark D" <Mark.Reinhold@opm.gov>, "Robinson, Deborah M." <Deborah.Robinson@opm.gov>, "Rose, Sydney" <rose.sydney.t@dol.gov>, "Santangelo, Mari Barr" <mari.santangelo@usdoj.gov>, "Snyder, Richard J." <Richard.Snyder@opm.gov>, "Spooner, Sarah W." Ex. 6 - Personal Privacy "Tornow, Joanne" <jtornow@nsf.gov>, "Trujillo, Cecilia" Ex. 6 - Personal Privacy "Villalobos, Veronica" <Veronica.Villalobos@opm.gov>, "Vizian, Donna" <Vizian.Donna@epa.gov>, "Wells, Reginald" <reginald.wells@ssa.gov>, "Wright, Lauren" Ex. 6 - Personal Privacy "Bedregal, Sierra L." Ex. 6 - Personal Privacy 'Benjamin, Nathaniel H." Ex. 6 - Personal Privacy "Blanks, Julie A." <Julie.a.blanks.civ@mail.mil>, "Bright, Andrea J" <Andrea.Bright@opm.gov>, "Campbell, Dianne" <diacampb@nsf.gov>, "Constantine, Peter J." <Peter.j.constantine@hud.gov>, "Davis, Thomas" <thdavis@usaid.gov>, "Duncan, Natalie" <Natalie.Duncan@sba.gov>, "Edwards, Roland" <Roland.Edwards@hq.dhs.gov>, "Garrett, Ronna L." <ronna.l.garrett.civ@mail.mil>, "Gill, Valerie" <Valerie.Gill@hhs.gov>, "Golder, Jennifer" <Jennifer.Golder@nrc.gov>, "Gray, Linda" <gray.linda@epa.gov>, "Green, Bianca" <Bianca.Green@ed.gov>, "Hinton, Veronica" <Veronica.Hinton@treasury.gov>, "Hopkins, Nathaniel D." <Nathaniel.Hopkins@opm.gov>, "Hudson, Jody" <jody.Hudson@nrc.gov>, "Kelly, Karlease" <Karlease.Kelly@dm.usda.gov>, "Lamary, Mary" <mary.lamary@usdoj.gov>, "Leydon, Karen" <kleydon@cftc.gov>, "Limon, Raymond" <Raymond_limon@ios.doi.gov>, "Lussier, Philippe" <lussierPA@state.gov>, "Mackey, Tonya" <Tonya.Mackey@hq.doe.gov>, "Maenle, Nathan" <Nathan.Maenle@va.gov>, "McGee, Sherri" <sherri.mcgee@nasa.gov>, "Mitchell, Pam" <Pamela.Mitchell3@va.gov>, "Robinson, Deborah M." <Deborah.Robinson@opm.gov>, "Sasajima, Kim" <sasajima.kim.s@dol.gov>, "Sheaffer, Heidi" <heidi.sheaffer@gsa.gov>, "Smith, Tyra Dent" <tdsmith@doc.gov>, "Snyder, Richard J." <Richard.Snyder@opm.gov>, "Van Sloun, Sherry" <sherrvz@dni.gov>, "Villalobos, Veronica"

<Veronica.Villalobos@opm.gov>, "Waddell, Tina" <Tina.Waddell@ssa.gov>, "Wiggins, Marsha" <Marsha.Wiggins@dm.usda.gov>, "Williams, Lisa" <lisa.williams@dot.gov>, "Saphos, Sara" <Catherine.Saphos@opm.gov>
Subject: New VERA and VSIP Streamlined Templates are Available

Colleagues – I am pleased to announce the availability of OPM's new streamlined template forms that agencies may use to request Voluntary Early Retirement Authority (VERA) and/or Voluntary Separation Incentive Payment (VSIP) authority. These new forms are designed to simplify and streamline the collection of information OPM is required to consider when evaluating an agency's request for VERA and/or VSIP. While the simplified templates can't replace the need for thorough agency-level strategic workforce planning to identify the positions/skills/functions that need to be reduced or eliminated to achieve a future desired state/workforce plan, we believe the new templates will make things much easier once you have decided that a VERA and/or VSIP is the right human capital tool for the job.

Also attached is a "Top 10 Frequently Asked Questions" document that covers some of the more commonly asked questions about VERA and VSIP.

The OPM team stands ready to expedite VERA/VSIP requests, as well as to provide technical assistance and services in support of your workforce reshaping needs.

Best -

Mark

Mark Reinhold
Associate Director, Employee Services
and Chief Human Capital Officer
mark.reinhold@opm.gov

To schedule a meeting, please contact Redmond Merrell on (202) 606-2520.

Message

From: Taylor, Jeremy [Taylor.Jeremy@epa.gov]
Sent: 7/7/2017 2:08:23 PM
To: Hunt, Loretta [Hunt.Loretta@epa.gov]
CC: Hart, Debbi [Hart.Debbi@epa.gov]; Coomber, Robert [coomber.robert@epa.gov]; Corbett, Krysti [Corbett.Krysti@epa.gov]; Engebretson, Lizabeth [Engebretson.Lizabeth@epa.gov]; Bonner, Jerome [Bonner.Jerome@epa.gov]; Helm, Arron [Helm.Arron@epa.gov]; Peabody, Hitch [Peabody.Hitch@epa.gov]; Carpenter, Wesley [Carpenter.Wesley@epa.gov]; Gray, Linda [gray.linda@epa.gov]; Parker, Gary [parker.gary@epa.gov]
Subject: RE: EPA Final VERA/VSIP Request--email 1 of 3

Thanks!

Jeremy A. Taylor
OARM-RTP-HRMD
Director
919-541-0537

OARM-RTP SERVE. SOLVE. COLLABORATE.

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From: Hunt, Loretta
Sent: Friday, July 07, 2017 10:07 AM
To: Taylor, Jeremy <Taylor.Jeremy@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Coomber, Robert <coomber.robert@epa.gov>; Corbett, Krysti <Corbett.Krysti@epa.gov>; Engebretson, Lizabeth <Engebretson.Lizabeth@epa.gov>; Bonner, Jerome <Bonner.Jerome@epa.gov>; Helm, Arron <Helm.Arron@epa.gov>; Peabody, Hitch <Peabody.Hitch@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Parker, Gary <parker.gary@epa.gov>
Subject: Re: EPA Final VERA/VSIP Request--email 1 of 3

Jeremy, no positions changed.

Sent from my iPhone

On Jul 7, 2017, at 9:59 AM, Taylor, Jeremy <Taylor.Jeremy@epa.gov> wrote:

> Hi Debbi,
>
> Are the tweaks to the targeted position chart such that it changes what the positions are in any way or just cosmetic? We have been working to break that information down so that we can sort when people apply so any additional information would be appreciated rather than us sifting through.

Thanks!

Jeremy A. Taylor
OARM-RTP-HRMD
Director
919-541-0537

<image001.png>

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From: Hart, Debbi
Sent: Friday, July 07, 2017 9:11 AM
To: Coomber, Robert <coomber.robert@epa.gov>; Corbett, Krysti <Corbett.Krysti@epa.gov>; Engebretson, Lizabeth <Engebretson.Lizabeth@epa.gov>; Bonner, Jerome <Bonner.Jerome@epa.gov>; Taylor, Jeremy <Taylor.Jeremy@epa.gov>; Helm, Arron <Helm.Arron@epa.gov>; Peabody, Hitch <Peabody.Hitch@epa.gov>
Cc: Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Hunt, Loretta <Hunt.Loretta@epa.gov>; Parker, Gary <parker.gary@epa.gov>
Subject: FW: EPA Final VERA/VSIP Request--email 1 of 3
Importance: High

All—

As submitted in final to OPM/OMB (we had to break it into three pieces so that OPM will receive it.) Arron please note that Loretta made minor tweaks to targeted positions chart so the attached version is slightly different than the one I sent yesterday. I will let you know what I hear from OPM and OMB--fingers crossed for quick final approval! Let me know if there are questions. Thank you! Debbi

---

From: Hart, Debbi
Sent: Friday, July 07, 2017 8:52 AM
To: Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>; Coleman, Darrell E <Darrell.Coleman@opm.gov>; Thornton, Cathryn <Cathryn.Thornton@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; Mulligan, James S. EOP/OMB Ex. 6 - Personal Privacy Grossman, Andrea L. EOP/OMB'
Ex. 6 - Personal Privacy
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Parker, Gary <parker.gary@epa.gov>; Loretta Hunt <Hunt.Loretta@epa.gov>
Subject: EPA Final VERA/VSIP Request--email 1 of 3
Importance: High

Greetings All-

Thank you for your assistance with this effort. As for our informal request, we are submitting our final package in three pieces. Attached is our signed VERA/VSIP template request. This will be followed by our

final business case and targeted positions table. Please let us know if there are any questions. Thanks again-- Debbi

Debbi Hart
Director
Policy, Planning & Training Division
OHR, OARM
USEPA
202.564.2011
hart.debbi@epa.gov

****

Message

From: Carpenter, Wesley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D84F6AA679F24F03990D7C6EB5CA0CAA-WCARPENT]
Sent: 6/19/2017 12:21:50 PM
To: Cooper, Marian [Cooper.Marian@epa.gov]
Subject: FW: EPA Draft VERA/VSIP Request Email 2 of 3
Attachments: EPA Targeted Positions.xlsx

Marian:

FYI.

Wes

From: Hunt, Loretta
Sent: Friday, June 16, 2017 7:13 PM
To: Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>; Coleman, Darrell E <Darrell.Coleman@opm.gov>; Thornton, Cathryn <Cathryn.Thornton@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; Mulligan, James S. EOP/OMB Ex. 6 - Personal Privacy
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Hart, Debbi <Hart.Debbi@epa.gov>; Parker, Gary <parker.gary@epa.gov>
Subject: Re: EPA Draft VERA/VSIP Request Email 2 of 3

EPA's targeted position spreadsheet.

From: Hunt, Loretta
Sent: Friday, June 16, 2017 6:55 PM
To: Snowden, Gregory A; Mahoney, Michael J; Coleman, Darrell E; Thornton, Cathryn; Butler, Monica; Mulligan, James S. EOP/OMB
Cc: Vizian, Donna; Showman, John; Gray, Linda; Carpenter, Wesley; Hart, Debbi; Parker, Gary
Subject: EPA Draft VERA/VSIP Request Email 1 of 3

The U.S. Environmental Protection Agency is submitting a draft VERA/VSIP request to OPM and OMB for review and comment. The agency is submitting one overall request but specific details are included for each program and regional office since the needs of each organization varies. The agency is submitting the following documentation:

1. EPA's VSIP Request (.pdf)
2. EPA's VERA Request (.pdf)
3. Business cases (all contained in one Word file; the Table of Contents provides direct links to each of our 22 business cases)
4. Targeted positions spreadsheets for each office (Excel file)
5. Organization charts (one .pdf file)
6. Agency level analysis/summary slides (PowerPoint)

We will send three emails containing the agency's draft request and supporting documentation.

Should you have any questions or concerns about EPA's request, you may contact me at hunt.loretta@epa.gov; (202)564-6963 or Debbi Hart at hart.debbi@epa.gov; (202) 564-2011.

Thank you in advance for your assistance with EPA's workforce reshaping efforts.

Message

From: Carpenter, Wesley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D84F6AA679F24F03990D7C6EB5CA0CAA-WCARPENT]
Sent: 6/19/2017 12:21:38 PM
To: Cooper, Marian [Cooper.Marian@epa.gov]
Subject: FW: EPA Draft VERA/VSIP Request Email 1 of 3
Attachments: EPA VERA Request.pdf; EPA VSIP Request.pdf; EPA Prog and Reg Business Cases 6-16-17 ver 3.docx

Marian:

FYI – I will also send the other two related emails shortly.

Wes

From: Hunt, Loretta
Sent: Friday, June 16, 2017 6:56 PM
To: Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>; Coleman, Darrell E <Darrell.Coleman@opm.gov>; Thornton, Cathryn <Cathryn.Thornton@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; Mulligan, James S. EOP/OMB Ex. 6 - Personal Privacy
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Hart, Debbi <Hart.Debbi@epa.gov>; Parker, Gary <parker.gary@epa.gov>
Subject: EPA Draft VERA/VSIP Request Email 1 of 3

The U.S. Environmental Protection Agency is submitting a draft VERA/VSIP request to OPM and OMB for review and comment. The agency is submitting one overall request but specific details are included for each program and regional office since the needs of each organization varies. The agency is submitting the following documentation:

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Should you have any questions or concerns about EPA's request, you may contact me at hunt.loretta@epa.gov; (202)564-6963 or Debbi Hart at hart.debbi@epa.gov; (202) 564-2011.

Thank you in advance for your assistance with EPA's workforce reshaping efforts.

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Workforce Reshaping Operations Handbook

A Guide for Agency Management and Human Resource Offices

OPM.GOV

MARCH 2017

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Purpose of the Workforce Reshaping Operations Handbook

OPM is issuing this Workforce Reshaping Operations Handbook to provide assistance to agencies that are considering and/or undergoing some type of reshaping (e.g., reorganization, management directed reassignments, furlough, transfer of function, reduction in force). This handbook provides agencies with guidance, options, and, where necessary, specific operational procedures designed to ensure that reshaping efforts comply with merit system laws and regulations.

Audience

This handbook is designed for any agency leader or manager and human resources office staff that is considering or undergoing workforce reshaping, especially those who find their reshaping efforts will result in a reduction in force.

Materials needed

Agencies should use this handbook in conjunction with:

- Specific authorities cited in the agency's policy
- Applicable articles contained in the agency's collective bargaining agreement(s)
- Applicable laws in title 5, United States Code; and
- Regulations published in title 5, Code of Federal Regulations (CFR).

(While the information in this handbook is current as of the date of issue, any changes in regulation or law will supersede the information in this handbook.)

How the handbook is organized

OPM has organized this handbook in a manner that corresponds to the reshaping process, starting with developing, reviewing and analyzing mission requirements and finishing with post-RIF tools such as the Career Transition Assistance Plan. These major steps fall into two areas of responsibility—management and human resources:

- Management's Role and Responsibilities (Chapter I);

  --Developing, Reviewing and Analyzing Mission Requirements (Section A);

  --Identifying Critical Management Considerations When Reshaping (Section B);

  --Minimizing the Need for RIF as a Result of Reshaping (Section C);

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--Deciding Whether to Implement a RIF (Section D); and

--Communicating the Reshaping Effort (Section E)

• Human Resource's (HR) Role and Responsibilities (Chapter II)

--Establishing a RIF Team (Section A);

--Taking Preliminary Actions (Section B);

--Preparing and Using Retention Registers (Section C);

--Determining Rights to Other Positions (Section D);

--Issuing RIF Notices (Section E); and

--Counseling Employees on Procedures and Options (Section F)

Readers can find guidance on conducting a reduction in force in Chapter III. Post-RIF actions are discussed in Chapter IV, and transfer of function is covered in Chapter V. The Appendixes outline specific, step-by-step guidance on topics ranging from assigning responsibilities to facilitate the RIF to implementing voluntary early retirement authority.

Chapter I: *Management's Role and Responsibilities*

Chapter I provides guidance to managers on:

- Developing, reviewing, and analyzing mission requirements (Section A)
- Identifying critical management considerations when reshaping (Section B)
- Minimizing the need for reduction in force (RIF) as a result of reshaping (Section C)
- Deciding whether to implement a RIF (Section D)
- Communicating the reshaping effort (Section E)

Section A: *Developing, Reviewing, and Analyzing Mission Requirements*

The first step management must take to prepare for workforce reshaping is to develop, review, analyze, and prioritize mission requirements. Overlooking this essential step will undermine the effectiveness of the workforce reshaping process.

Some areas management should consider when developing, reviewing and analyzing mission requirements include:

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- Current and emerging mission requirements, including technology.
- Knowledge, skills, and abilities needed for current and future positions.
- Positions (by series, grade and location) that are required to perform the current and emerging mission.
- Current and projected education levels, training, and/or cross-training required for current and future positions that will perform the mission.
- Positions (by series, grade, and location) that do not support the reshaped, reorganized, reduced, or unfunded mission.
- Current and projected attrition and turnover rates (including retirement eligibles over at least the next one to five years).
- Current and projected accession rates.

Section B: *Identifying Critical Management Considerations When Reshaping*

Top Leadership Commitment. Do the organization's top leadership and line management support the proposed reshaping effort, to include any management-directed reassignments or reductions in force (RIF) that may occur? The commitment of the agency's top leadership to the reshaping effort is critical to its overall success.

Purpose of Reshaping. What is the principal reason for the reshaping effort (e.g., budgetary shortfall, privatization of work, change in program priorities, mission transferred to another organization)? Sometimes the purpose is both mission-related and budget-driven.

Scope. What is the size of the reshaping effort in terms of the number of positions affected by management's actions? The size and reasons for the reshaping effort will directly affect the agency's options for minimizing the impact on employees. For example, closure of a large activity will result in more disruption to the organization and may require more extensive outplacement efforts than a reorganization within a division, which may result in a few involuntary reductions in grade.

Timing. How much time does management have to implement the workforce reshaping effort? Typically, the more time an organization has to implement its workforce reshaping, the less likely the need to conduct a formal reduction in force (RIF).

General versus Specific. Does management need to reduce whole numbers as in "across the board cuts," or is there the possibility of reshaping specific functions within the

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organization? There is typically less disruption to an organization when specific functions are reshaped than when entire operations are closed.

Strategies. Is management prepared to offer a variety of strategies (e.g., voluntary and management-directed reassignments, cross-training, voluntary early out retirement authority (VERA), and voluntary separation incentive pay (VSIP)) to avoid a RIF? These decisions should be considered well in advance of the announcement of the reshaping effort, and should take into account the costs of such strategies.

Communication. Does management have an effective communication strategy for all parts of the organization? It is important to address all levels of the organization (i.e., leadership, unions, and employees). There are several ways this can be accomplished—"town halls," staff meetings, email, agency website, and letters mailed to employees' homes.

Labor-Management Relations. Does management have union support for the reshaping effort? While management has the right to reshape its workforce, including running a RIF, many aspects of the impact and the implementation of such efforts are negotiable. Management must fulfill any collective bargaining obligations and should consult with labor relations staff prior to announcing a reshaping effort.

Other Considerations

- Are agency personnel records current and readily available?
- Is the human resources staff ready to support reshaping efforts? If not, are more resources needed to conduct the reshaping efforts?
- What is the status of performance appraisals? Are they going to be issued in the near future? Are they filed properly in the Official Personnel File? Does the agency plan to freeze ratings prior to the reshaping effort, in particular if a RIF is conducted?
- Does the agency have the budget available to support VERA/VSIP or other outplacement services?
- What is the current RIF competitive area? Is it based on geographic location and organizational elements? RIF competitive areas should be clearly defined and published (e.g. Departmental manuals, agency policy statements) for all employees and managers.

Section C: Minimizing the Need for Reduction in Force as a Result of Reshaping

There are numerous ways to minimize the need for a RIF as a result of management's reshaping efforts. This section describes different options to minimize or even avoid RIF

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separations, reassignments and downgrades as a result of reshaping. They are not in order of preference.

Detail Employees to Other Agencies on a Reimbursable Basis. A reimbursable detail to a different agency allows management to retain its skilled workforce even though the employees may temporarily be surplus. The employee on an interagency detail retains the same rights and benefits based on the employee's official position of record in the agency from which the employee was detailed because a detail does not change the employee's official position of record. This option works well when another agency has a temporary need for the specific skills of the surplus employees. An interagency reimbursable detail may also assist the agency in permanently placing the surplus employee in the different agency. An interagency reimbursable detail may not be a viable option if the employee's present agency is faced with budgetary constraints, an immediate downsizing (such as a closure), or finds that the employee's position will likely continue to be surplus in the future.

Freeze Hiring and Promotion Actions. If the agency finds that its reshaping plan will result in surplus or displaced employees, the agency may freeze personnel actions to best fit its individual situation rather than automatically adopting a blanket freeze on all personnel actions. In a mid- or long-term implementation of its reshaping plan, the agency may adopt a freeze on a ratio or a percentage basis, such as filling one position for every two vacated positions.

In general, a freeze on internal promotions (if the agency adopts that option) requires more attention from the human resources office than a blanket freeze on external or even internal hires. For example, the agency will need to determine whether to freeze:

- All promotions, only promotions for certain positions, only promotions at certain grade levels, or some combination of these;
- All career ladder promotions; and
- Optional promotions based on accretion of duties.

If budgetary factors are driving the reshaping effort, an immediate freeze on filling all new positions is one way to stabilize personnel costs. When combined with continuing attrition within the agency, a freeze on filling new positions will reduce personnel costs, particularly over a longer period of time, thereby potentially avoiding the need for a RIF.

On the down side, a freeze on filling new positions may eventually restrict the capacity of the agency to perform its work, especially if continuing attrition reduces the number of available employees below a critical mission level. Further, the agency should consider whether freezing promotions will affect the morale of the workforce. The agency may be required to implement at least a partial freeze of personnel actions since the Career Transition Assistance Plan (CTAP) provides the agency's surplus or displaced competitive service employees with intra-agency non-promotion selection priority to competitive service vacancies in the employees' local commuting areas.

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Regardless of the extent of a freeze on personnel actions, the agency policy should include a "safety valve" policy permitting exceptions to the freeze. This allows the agency to fill essential positions if an unexpected situation develops (e.g., additional reimbursable work unexpectedly is available, or a natural disaster occurs), while still maintaining the general intent of the agency's freeze. The agency's freeze policy should specify the agency official with authority to approve an exception to the freeze.

Furlough. An agency may temporarily reduce personnel costs by furloughing employees. A furlough is the placement of an employee in a temporary nonduty, nonpay status because of lack of work or funds, or other nondisciplinary reasons.

A furlough that is expected to last more than 30 continuous calendar days or 22 discontinuous workdays (e.g., one workday per week for 25 weeks) is effected under 5 CFR part 351 (RIF) procedures. A furlough expected to last less than 30 continuous calendar days or 22 discontinuous workdays (e.g., one workday per week for 25 weeks) is carried out under 5 CFR part 752 (adverse action) procedures.

The agency should discuss its furlough plans with employees, managers, supervisors, and union officials to explain that the temporary measure of a furlough is a better alternative for both the agency and its employees than involuntarily separating employees by RIF. In general, an agency must give each covered employee a written notice at least 30 days before the effective date of an adverse action furlough. When some but not all employees in a given competitive level are being furloughed, the notice must state the basis for selecting a particular employee for furlough, as well as the reasons for the furlough. A shorter notice period is an option in an emergency situation (e.g., a natural disaster such as hurricane or tornado). An agency must give each competing employee a minimum 60-day specific written notice before the effective date of a RIF furlough. The same notice periods apply whether the furlough is continuous or discontinuous.

Furlough is not a viable option if the agency finds it is faced with a continuing, rather than temporary, lack of work and/or funds. For example, an agency may furlough an employee under RIF regulations only when the agency plans to recall the employee to duty within 1 year in the position the employee held when furloughed.

OPM's website at: https://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/ contains additional information on furloughs.

Modify or Waive Qualifications. An agency may modify or even waive minimum qualification requirements if the agency finds an employee has the capacity, adaptability, and special skills needed to perform the duties of a vacant position. An agency may modify or waive qualification requirements when reassigning an employee to another position, or when offering an employee a voluntary change to lower grade.

OPM's Operating Manual, *Qualification Standards for General Schedule Positions* contains general information on waiving or modifying qualification requirements when placing employees as in-service placement actions apart from the RIF regulations. The

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agency may not waive minimum positive education requirements under the RIF regulations or under *Qualification Standards for General Schedule Positions*.

The Operating Manual is available on OPM's website at: http://www.opm.gov/qualifications/index.asp. See Section II.E.8.(c) of the Operating Manual for additional information on modifying or waiving qualifications.

Reassign Surplus Employees to Other Positions. An agency may reassign an employee to another position at the same grade, as long as the agency has a legitimate management need for the employee in the position to which reassigned. This option is often the best tool for avoiding involuntary separations and downgrades. If the agency has a pool of vacancies (particularly after freezing positions), the agency may be able to maintain continuity of operations and retain its investment in its current employees by using the reassignment option when possible.

An agency may reassign an employee without regard to the RIF regulations when the vacant position is at the same grade or rate of pay (i.e., if the movement is between pay systems) as the employee's present position. The position to which the employee is reassigned may be located in the same or a different competitive level, competitive area, or local commuting area. An agency may not reassign an employee to a position with more promotion potential unless the agency fills the position through merit competition.

The agency may make the reassignment without regard to the employee's RIF retention standing, including veterans' preference status. At its discretion, an agency may limit its basic right to reassign by using impartial considerations such as retention standing, creditable service with the agency or within the organization (such as a division or branch), length of service in the present position, length of service in the present organization, etc.

An employee has no right to be in RIF competition unless the employee is faced with separation or downgrading for a reason such as reorganization, lack of work, shortage of funds, etc. Reassignment to a position in a different local commuting area does not provide the right to compete for a position in the present competitive area under the RIF regulations even if the employee declines the reassignment and the agency subsequently separates the employee under the adverse action regulations.

If an agency separates an employee for declining reassignment to a position in a different local commuting area, the employee qualifies for most of the benefits available to an employee who is separated by RIF (e.g., severance pay or discontinued service retirement, certain placement assistance programs). However, the employee is not eligible for the agency's Reemployment Priority List (RPL).

Separate Temporary Employees. A competitive service temporary employee serves at the will of the agency and can be terminated without regard to the RIF regulations.

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Separate Reemployed Annuitants. A reemployed annuitant serves at the will of the agency and, regardless of type of appointment, can be terminated without regard to the RIF regulations. In some situations the termination of a reemployed annuitant will both reduce the agency's payroll costs and free up a continuing position for a surplus employee. If the agency does not separate the reemployed annuitant prior to the RIF effective date, the reemployed annuitant competes in the RIF on the same basis as other employees holding the same type of appointment.

Train Employees for Other Positions. An agency may train (or retrain) employees for placement into vacant positions as an alternative to minimize involuntary separations and downgrades by RIF. An agency may train its employees for placement in another agency, if the head of the agency determines that this is in the Government's interest. Such a determination should be part of an agency's training policy. An agency may use its appropriated funds for training or retraining surplus or displaced employees for positions outside the Federal Government only when specifically authorized by legislation.

Training helps employees better perform their current positions, while retraining prepares employees for different careers, or teaches them how to perform in other occupational fields.

Retraining as a tool to increase the voluntary attrition of employees in excess positions to other positions includes training and development to close skills gaps and to give an employee the knowledge and skills leading to another occupation. By retraining these proven employees into a related or even a new line of work, the agency may be able to most efficiently resolve significant present or projected skills gaps in its workforce. Added retraining benefits include minimizing disruption to the work environment and building workforce morale, particularly when the agency uses retraining as an alternative to involuntary separations and demotions from downsizing.

Retraining programs generally concentrate on the basic competencies an employee needs to successfully perform a new or redesigned position. Retraining generally does not aim to provide advanced-level technical skills in a new line of work.

Voluntary Change to Lower Grade. An agency may offer an employee a voluntary change to lower grade without using RIF procedures. Employees have the right to compete for retention under the RIF regulations before involuntary separation or downgrade due to a reason such as reorganization, lack of work, or shortage of funds. In some situations, a voluntary change to lower grade allows an agency to staff a vacancy with a proven employee, while providing continued employment to a surplus employee without forcing RIF actions. Most organizational changes meet the definition of "reorganization," which can affect one position, many positions, and/or reporting relationships in an organization. An agency may provide an otherwise eligible employee with grade retention when making a management-initiated offer of a lower-graded position to an employee during a reorganization announced in writing. The agency has

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three potential options, which include offering (1) grade retention, (2) pay retention, or (3) neither grade retention nor pay retention.

Voluntary Early Retirement Authority. Voluntary Early Retirement Authority (VERA) allows permanent employees to retire early if their organization is undergoing a RIF, reorganization, transfer of function or other workforce shaping. VERA is a valuable tool that helps an agency create placement opportunities for employees who would otherwise be involuntarily separated or downgraded, and by avoiding displacements in actual RIFs.

Agencies, except for the Department of Defense (DoD), must request approval from OPM for VERA authority. DoD components must request approval from the Secretary of Defense. Agencies may make decisions relative to which employees will be covered by VERA, how long to open the window for VERA, and how many employees may retire under VERA. The agency decides which employees are covered by VERA, based on nonpersonal factors related to the employee's position (e.g., grade, series, title, organization, duty location).

Before requesting VERA from OPM, agencies should consider other RIF avoidance alternatives such as furlough, hiring freezes, reassignments, etc. An agency should not use VERA as a quick fix for a short-term problem, such as to achieve short-term budgetary savings for the remainder of the fiscal year.

An agency may submit a VERA request to OPM once it is signed by the head of the agency, or by a specific agency designee with delegated authority. After OPM approves a VERA authority, the agency, based on management considerations, may subsequently modify the closing date for the VERA window period and/or revise the number of employees who may retire under the authority. OPM's approval letter to the agency authorizing VERA covers options to manage the early retirements.

OPM's website at http://www.opm.gov provides additional information on VERA.

Voluntary Reduction of Hours. The agency may consider a policy that allows employees to voluntarily reduce their scheduled work hours for a period of time (e.g., take one day a week or one day a pay period in a voluntary nonpay status), or even to convert from a permanent full-time to a permanent part-time work schedule. A reduction in an employee's scheduled work time will result in an immediate reduction in personnel costs, but may also result in a loss of organizational productivity.

A temporary or permanent change in work schedule will provide an employee with greater flexibility to participate in non-work-related needs (e.g., family, educational, volunteer groups, medical, elder care). When considering this option, the agency should survey employees to determine the level of interest, particularly if the agency is faced with a short-term shortage of work or funds. However, before adopting this option, the agency should first consider whether a formal policy is needed covering how to select

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employees while maintaining continuity of agency operations. This option may depend on the scope of the agency's reshaping efforts

The agency should advise employees concerning the implications of the reduction in hours. For example, an employee who converts from a permanent full-time to a permanent part-time schedule follows a different formula to calculate health benefit costs and retirement deductions. Similarly, an employee who is in a voluntary or involuntary leave without pay status may have a reduction in the leave credit that the employee would have earned had the employee been in a full-time pay and duty status. The agency should advise its employees to consult with the agency's human resources office when considering a change to work schedule.

Voluntary Separation Incentive Payment. The VSIP (or buyout) option allows an agency to offer a permanent employee a lump-sum payment up to $25,000 if the employee voluntarily retires or resigns. An agency must have specific legislative authority in order to offer a buyout. Many agencies are covered under the buyout authority provided for in the Chief Human Capital Officers (CHCO) Act of 2003. Agencies covered under the Act must have OPM approval before paying any buyouts. Agencies with prior VSIP authority reported that buyouts were a successful tool that notably increased voluntary attrition, particularly for VERA retirements of employees in excess positions.

OPM's website at http://www.opm.gov/ contains additional information on VSIP.

Section D: *Deciding Whether to Implement a RIF*

When agency management makes the decision to run a RIF, the first step should be to consult with the agency Human Resources Officer (HRO) or servicing HR staff before finalizing the timing and scope of the RIF. The HRO can advise managers regarding the current competitive areas, creation of retention registers, any labor relations obligations, a timeline for running a RIF, and can provide technical guidance on the impact of decisions that the agency must make before issuing RIF notices to employees. This is a critical step, and the importance of it cannot be emphasized enough.

See Appendix G, Management's Decision to Implement RIF Checklist, for a complete listing of all actions management should consider when they have made the decision to implement a RIF.

Section E: *Communicating the Reshaping Effort*

Agency management should consult with their HR, public affairs, Congressional relations and communications offices to establish an effective communication strategy. The agency's goal should be to develop a coordinated communication plan that will provide timely, accurate, and complete information to all parties on issues relating to

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organizational change and the RIF. Effective, open communication with immediate supervisors, nonsupervisors, and other affected parties (including the union(s)) can minimize losses to organizational productivity.

The HRO, with direct support of agency management, should, to the extent possible, provide employees with access to pertinent information concerning RIF procedures, programs available to surplus or displaced employees, and employee benefits such as retirement, health benefits, and life insurance. Potential methods of communication include:

- Written communication, which is the best way to provide a record of accurate information; options include scheduled bulletins, as-needed bulletins, brochures, pamphlets, newsletters, and e-mail;

- Direct personal communication, which provides a personal approach to disseminating the information and answering a diverse range of questions; options include large groups, small groups, and organization or subject-based groups;

- Information by video; options include live television broadcasts, videotapes, CDs, and streaming video accessed through personal computers; and

- Audio information; options include taped telephone messages to work phones and CDs to listen to at home.

Chapter II: *Human Resource's Role and Responsibilities*

Chapter II provides guidance to Human Resource (HR) offices on:

- Establishing the HR office's RIF team (Section A)
- Taking preliminary actions (Section B)
- Preparing and using retention registers (Section C)
- Determining rights to other positions (Section D)
- Issuing RIF notices (Section E)
- Counseling employees on procedures and options (Section F)

Section A: *Establishing the Human Resources Office's RIF Team*

Establishing the RIF Team. Both the size and the composition of the HRO's RIF team depend on factors relative to the agency's RIF situation, such as size (e.g., two excess positions, 160 excess positions), location (e.g., one duty site, multiple duty sites), and reason (e.g., reorganization, closure, consolidation). Most RIF actions require some employees to work full-time on personnel actions related to the RIF. For example,

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agencies need to ensure their personnel records are up to date, because a Federal employee's rights and benefits are based upon the employee's official position of record.

Even with an automated personnel records system, a RIF requires the agency to manually verify all relevant information, such as each employee's official position description, three most recent performance ratings of record, retention service computation date, and veterans' preference status. A RIF team allows the HRO to successfully perform the temporary increased workload that is required to prepare for and implement the RIF.

If possible, at least one person on the team should have prior RIF training or experience. Appendix N includes a skills inventory that an agency may use to identify HRO employees with prior RIF or other downsizing experience. The agency may use the downsizing skills inventory in deciding whether some or all members of the team need training related to the RIF (e.g., training on the mechanics of the RIF regulations, career transition options, benefits for displaced employees). Appendix O also has additional guidance on subjects that should be included in a RIF training skills program for members of the team.

When establishing the HRO's RIF team, the agency should immediately designate a leader of the team to coordinate all aspects of the team's work. This may include:

- Recommending other staff with specific technical skills to serve on the team;
- Requesting any training needed by the team;
- Developing the agency's own RIF action checklist;
- Ensuring that the team meets all deadlines required by either agency managers or the checklist;
- Requesting any support staff needed to assist the team;
- Requesting any additional resources, facilities, or equipment needed to assist the team; and
- Providing other needed support and assistance to team members as the RIF progresses.

The RIF team usually includes human resources specialists with skills in staffing, classification, and position management. As needed, the team should include employees with other skills, such as employee benefits, labor and employee relations, and automated systems, especially if the agency will use an automated RIF system (e.g., "AutoRIF") to prepare retention registers used to determine how the RIF will affect the agency's employees. See Appendix O for information on the Department of Defense's AutoRIF software package, which is also available to non-Defense agencies. See Appendix C for information on counseling employees.

Even a mid-size RIF (e.g., 10 to 49 actions) may require team members to perform some overtime work. The agency should include possible overtime as an estimated RIF cost. Finally, each member of the RIF team must be able to cope with additional stress and pressure associated with implementing a RIF. The team leader should always be

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available to offer assistance to a team member who is experiencing stress as a result of the RIF.

RIF Team Leader. The RIF team leader is responsible for coordinating the team's work with both the HRO and with agency management, as appropriate. The leader of the RIF team must play many roles as the agency first prepares for a RIF, then actually carries out RIF actions, and finally manages post-RIF issues (e.g., selection priority programs for displaced employees, appeals and grievances filed by employees).

The RIF team leader is responsible for accurately determining employees' retention rights under OPM's RIF regulations. This includes implementing all of management's decisions relating to the RIF, and coordinating the team's actions with the HRO. In addition, the team leader is responsible for providing technical assistance to the RIF team.

Support Staff. For maximum effectiveness, the agency should provide the HRO's RIF team with sufficient staff and the skills needed to support the team. The skills needed by an individual agency's RIF team and its RIF support team may differ from one agency to another. For example, one agency may have a need for a labor-management specialist on the principal team, while a second agency may need its labor-management specialist to serve only as a member of the support team.

The RIF support team may include employees with a wide range of skills, such as:

- Staffing Assistants. Tasks may include making service credit determinations, calculating service computation dates, making veterans' preference determinations, and downloading data from the agency's personnel data files.

- Clerical Support Staff. Tasks may include copying RIF notices and other downsizing documents, assembling informational packets for employees, preparing final copies of slides used for briefings, scheduling meetings involving the RIF team, reserving rooms needed by the team for meetings and briefings, and coordinating any travel by team members to other duty sites.

- Benefits Specialists. Tasks may include advising both team members and displaced employees concerning entitlements such as retirement benefits, health benefits, life insurance, and the Thrift Savings Plan.

- Computer Specialists. Tasks may include downloading personnel data needed by the team to prepare RIF registers and making the data available for use by the team in an automated program such as DoD's AutoRIF.

Facilities. The agency should provide the HRO's RIF team with one or more secure rooms that are appropriate to the situation. The RIF team needs secure space with restricted access. Because of the sensitivity of RIF actions and the need to secure personnel records, which contain personally identifiable information, the agency should

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limit entry to the space to members of the RIF team (including support team members) and others with a specific need for access. If necessary, the agency should provide extra security for the facilities used by the RIF team. If possible, the agency should also provide the team with access to a conference room that can include all members of the RIF teams.

Equipment and Supplies. The agency should provide the HRO's RIF team with necessary equipment and supplies. Necessary equipment and supplies for the RIF team may include:

- Desks and/or tables, as appropriate. Some agencies prefer to have the RIF team work at a large table rather than at individual desks. In some situations, the team may find that extra tables are useful to temporarily hold material such as Official Personnel Folders, employees' RIF notices and benefits packages, and similar materials.

- Telephones. The agency should ensure that the team's telephones have voice mail, call-forwarding capability, and TDY capability for the hearing impaired.

- Fax machines. Fax machines are especially important if the RIF involves different geographic locations, or if the agency maintains its personnel records at different sites.

- Computers and printers. The number of computers, printers, and related equipment that the team needs depends on the situation. At a minimum, the agency should use only one computer for the employee database, and another only for RIF software such as DoD's AutoRIF. The agency should provide password protection for each of the team's computers, along with e-mail and internet access for team members.

- Copy machines. The team needs at least one copy machine and a backup that are always maintained in working condition.

- File Folders. The team needs a file folder for each employee involved in the RIF to compile and verify RIF data, correspondence, RIF notices, RIF counseling documentation, and similar material.

- Other office supplies, as needed. The team needs a steady supply of related material such as paper in the appropriate formats (e.g., plain white paper, letterhead paper for RIF notices and possibly for internal memos, tinted paper for posted announcements), notepads, binders, dividers, large and small envelopes, pens, staples, paper clips, and tape. The team also needs a place to store material in an organized manner.

- Shredder. The team needs a shredder and disposal bags (possibly including burn bags) to dispose of excess paper related to the team's work.

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- File cabinets. In the team's secure area, the team needs one or more lockable file cabinets, as appropriate to the situation.

- Erasable marker board and/or large paper flip charts. The team needs the board and flip charts to cover team assignments, timelines, priorities, specific items on RIF or downsizing procedures, etc.

Personnel Records. The agency should provide the HRO's RIF team with secure access to the Official Personnel Folders (OPF) and other records (e.g., official position descriptions) of agency employees who are competing in the RIF. The agency must ensure that the team's actions are consistent with the requirements covering access and maintenance of personnel records in part 293 of title 5, Code of Federal Regulations (Personnel Records) and the agency's policy pertaining to safeguarding personally identifiable information.

The agency's responsibility includes actions involving application of the Privacy Act and the Freedom of Information Act (FOIA) to requests for access to personnel records. The agency's responsibility also includes actions involving other records associated with the RIF (e.g., qualifications updates submitted to determine employees' retention rights to other positions).

Reference Materials. The agency should provide the HRO's RIF team with access to other information needed to conduct the RIF. Additional information needed by the RIF team may include:

- Personnel rosters of the organizations both before and after the RIF. The organization's personnel rosters document occupied and vacant positions in both the present organization, and in the organization after the RIF is completed. As necessary, the team should also have timely access to agency management at the appropriate level if the team needs clarification of issues related to the personnel rosters (e.g., timing of the RIF, available vacancies in the new organization, subsequent actions in a phased reorganization, impact of new legislation).

- Title 5, United States Code (U.S.C.). The text of the United States Code is available at http://uscode.house.gov. Governmentwide regulations are derived from the statutory provisions of title 5, United States Code.

- Title 5, Code of Federal Regulations (CFR). OPM publishes its regulations in title 5, Code of Federal Regulations. The current text of the CFR is available at http://www.ecfr.gov.

- Agency's internal personnel manual. The team should also have a copy of documents related to the agency's RIF policies, such as the agency's policy on freezing performance ratings of record and providing retention service credit for performance in situations where the agency has flexibility, using vacant positions

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as offers to employees reached for RIF actions, and repromotion priority for employees demoted by RIF.

- Collective bargaining agreements that cover employees competing in the RIF. If a collective bargaining agreement is revised during the process of preparing for the RIF, the agency should provide the team with a copy as soon as possible.

- Applicable OPM manuals, handbooks, and guides. For example, the team should have copies of relevant OPM issuances such as *Introduction to the Position Classification Standards*, *Qualification Standards for General Schedule Positions*, *CSRS and FERS Handbook for Personnel and Payroll Offices*, *Guide to Processing Personnel Actions*, *VetGuide*, and other relevant material available from the OPM website.

- Applicable appeals and grievance decisions. The team should have timely access to appeals decisions of the Merit Systems Protection Board (www.mspb.gov), the United States Court of Appeals for the Federal Circuit (http://www.cafc.uscourts.gov/), and the Federal Labor Relations Authority (http://www.FLRA.gov). When not directly available from the internet or the team's own files, the team should have an agency contact (e.g., in the agency's legal office) who can provide a copy of a requested decision.

Support for Other RIF-Related Teams. The agency should provide similar support for other specialized teams involved in preparing for and carrying out the RIF. As needed, the agency often establishes other teams to supplement the core RIF and RIF support teams. These other teams may be comprised of employees other than those on the basic teams. For example, an agency may find a need to establish a team solely devoted to reviewing employees' personnel records for accuracy, to calculate employees' service computation dates, to deal with fiscal matters associated with the RIF, etc.

When an agency will actually separate employees by RIF, the agency should establish and implement a separate outplacement team even before the agency issues RIF notices. This will maximize outplacement assistance available to displaced employees. Usually voluntary attrition will increase, reducing the number of involuntary RIF separations. Especially in a mid-size (i.e., 10 to 49 actions) or large (i.e., over 50 actions) RIF, the agency should establish a separate team to develop and implement its outplacement program. Otherwise, the priorities involved in conducting the RIF may significantly reduce the time available to assist employees in exploring available career options.

Skills Update. Appendix N, RIF Team Skills Inventory Checklist, provides a means to document the current skills of the RIF team members. Appendix O, RIF Team Skills Update, summarizes subject areas that should be included in training members of the agency's RIF team.

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Section B: *Taking Preliminary Actions*

The RIF team should:

- Identify all positions in each RIF competitive area
- Document noncompeting employees on nonpermanent assignments
- Document other noncompeting employees
- Document employees in a nonpay status
- Document employees away on active armed forces duty with a restoration right
- Document employees who have returned from the armed forces with a current restoration right
- Document employees receiving injury compensation payments from the Department of Labor
- Review position descriptions
- Review competitive levels for accuracy
- Determine employees' veterans' preference rights for retention
- Determine employees' basic RIF service computation dates
- Verify employees' performance ratings of record that are used for retention
- Determine employees' adjusted RIF service computation dates
- Review essential retention data for each employee

For further information pertaining to the RIF team preliminary actions, see Appendix M, RIF Team Preliminary Actions.

Section C: *Preparing and Using Retention Registers*

The first step for the RIF team is to prepare retention registers, determine which employees are released from these registers because of position abolishments, and determine whether the released employees have a right to a continuing position on a different retention register.

See Appendix J, Preparing and Using Retention Registers, for additional information on preparing retention registers, projecting employee retention data to the RIF effective date, separating noncompeting employees before releasing competing employees from the competitive level, and identifying employees released from the competitive level in first-round competition.

Section D: *Determining Rights to Other Positions*

After the RIF team determines which employees are released from the agency's retention registers in first-round RIF competition, the team then proceeds with second-round RIF competition to determine whether each released employee has an assignment right to a position on a different retention register (i.e., a different competitive level).

Competitive service employees in tenure group I or II with current performance ratings of at least Minimally Successful (or equivalent) who are reached for release from the

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competitive level are entitled to an offer of assignment if they have bump or retreat rights to an available position in the same competitive area, and they would otherwise be separated or demoted by RIF.

The existence of an available position establishes the employee's right to be offered a position at that grade level. However, agencies retain the discretion to determine which position is offered to an employee when more than one available position exists.

An employee with an excepted service appointment has no assignment rights under OPM's RIF regulations. However, at its discretion an agency may elect to provide its excepted service employees with RIF assignment rights.

Appendix D, Determining Rights to Other Positions, provides additional information on determining employees' representative rates, normal line of progression for each position, identification of vacancies available for assignment and other placement offers, released employees' qualifications for assignment, released employees' assignment rights, and running a mock RIF and reviewing results for accuracy.

Section E: *Issuing RIF Notices*

When agency management gives final approval for RIF actions, the RIF team, in coordination with the HRO, uses the official date of the RIF to determine the retention rights of each competing employee before preparing specific written notices and related materials for distribution to individual employees.

The team should alert the HRO if the planned effective date of the RIF may compromise the team's ability to provide complete information to employees who receive specific written RIF notices. The HRO should then advise agency management of the situation so they may consider whether to revise the RIF effective date, given the timeframe for implementing the agency's strategic plan. If the RIF team previously completed a mock RIF, the team may be able to use some results of the mock RIF in determining the retention rights of employees in a subsequent RIF.

For further information regarding determining each released employee's eligibility for benefits, preparing specific written RIF notices and mandatory attachments, sending notices to other organizations if 50 or more employees receive separation notices, notifying bargaining unit representatives, determining how to deliver RIF notices, preparing packages for separating employees, delivering RIF notices, and re-running RIF to reflect changes to the personnel roster in the competitive area, see Appendix F, Issuing RIF Notices.

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Section F: *Counseling Employees on Procedures and Options*

The HRO should emphasize to agency management and members of its RIF-related teams that effective counseling is critical to minimize disruption resulting from the agency's RIF. When possible, the HRO should offer counseling that is appropriate to the situation. For example, if the agency implemented an effective communications policy covering implementation of the agency's strategic plan and the need for a RIF, the office may find that released employees will focus more on RIF mechanics or benefits rather than questioning the need for the agency's actions.

Under the communication plan the HRO may have opted to provide general RIF and benefits briefings to all employees in the agency based on the possibility of a RIF. Even if the agency simply provided summaries of OPM's RIF procedures and/or RIF benefits to all employees before issuing RIF notices, many released employees will have a working knowledge of the subjects and will use the counseling sessions to clarify specific rather than general issues. OPM provides agencies and employees with current electronic summaries of RIF procedures, RIF benefits, and career transition assistance programs. Individual agencies or activities may also develop their own summaries that include agency-specific policies or placement programs.

In a small RIF (i.e., fewer than 10 actions), the HRO may choose to use members of a single team to provide counseling to released employees at small group or individual sessions. In a large RIF (i.e., 50 or more actions), the office should have more options, including individual counseling sessions, as well as small and/or large group counseling sessions. Whichever approach the agency chooses, the counselors must have accurate information concerning each respective subject area. Also, the counselors must be able to obtain accurate information on exceptional situations that may require clarification from a higher level of the agency or from OPM.

See Appendix C for additional information on planning for effective counseling, and effective outplacement counseling.

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Chapter III: *Reduction in Force*

Chapter III provides guidance on the Govermentwide reduction in force (RIF) regulations:

- Management Rights (Section A)
- Compliance with OPM's RIF Regulations (Section B)
- Coverage of the RIF Regulations (Section C)
- Reorganization, Misclassification, and Job Erosion (Section D)
- Competitive Area (Section E)
- Competitive Level (Section F)
- Establishing Retention Registers (Section G)
- Determining Employees' Retention Standing (Section H)
- Retention Tenure Groups (Section I)
- Veterans' Preference in RIF (Section J)
- RIF Service Credit (Section K)
- Additional RIF Service Credit for Performance (Section L)
- Personnel Records in RIF (Section M)
- Release From the Competitive Level (Section N)
- Actions Following Release From the Competitive Level (Section O)
- Determining Employees' Assignment Rights (Section P)
- Bump and Retreat for Assignment (Section Q)
- Vacancies for Assignment (Section R)
- Vacant Temporary Positions as Placement Offers (Section S)
- Consideration of Grades in Assignment (Section T)
- Consideration of Representative Rates in Assignment (Section U)
- Consideration of Qualifications in Assignment (Section V)
- Trainee and Developmental Positions for Assignment (Section W)
- Consideration of Security Clearances in Assignment (Section X)
- Administrative Assignment Options (Section Y)
- RIF Notices to Employees (Section Z-1)
- Additional Notice Requirements for RIF Separations (Section Z-2)
- Requesting an Exception to the Minimum RIF Notice Period (Section Z-3)
- Certification of Expected Separation (Section Z-4)
- RIF Appeals (Section Z-5)
- RIF Grievances (Section Z-6)

Section A: *Management Rights*

Right to Reorganize the Workforce. The agency has the responsibility to determine its mission-based workforce requirements, define its priorities, and apply available resources in order to best meet mission requirements.

RIF Decisions. Each agency is responsible for deciding what positions are abolished, whether a RIF or transfer of function is necessary, and (if applicable) when a RIF will

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take place. This also includes the right of the agency to decide which positions are required after a reorganization or other organizational change, where the positions are located, and when the positions are to be filled, abolished, or vacated.

Right to Take Other Personnel Actions. An agency's need to apply RIF procedures does not suspend the agency's authority and responsibility to take other personnel actions such as reassignment, promotion, change of duty station, or demotion for cause or unacceptable performance. An agency may effect other personnel actions before, during, or after a RIF.

Section B: *Compliance with the RIF Regulations*

Agency Responsibility. An agency, in taking RIF actions, must comply with all applicable laws, regulations, formal agency policies, and the terms of any applicable negotiated bargaining agreements. Also, the agency is responsible for uniformly and consistently applying the retention regulations in any RIF. The use of RIF procedures to avoid required procedures for other situations is improper (for example, conducting a RIF rather than using adverse action procedures to release an employee with a history of conduct problems).

OPM Review of Agency's RIF Plans. OPM may examine an agency's preparation for RIF at any stage. If OPM finds that an agency's RIF preparations are contrary to the express provisions, or the spirit and intent, of the applicable regulations or would violate employee rights or equities, OPM may recommend corrective action with respect to those preparations.

Section C: *Coverage of the RIF Regulations*

Employees Covered by the RIF Regulations. Except as noted elsewhere in this section, unless excluded by statute, the RIF regulations cover each Federal civilian employee in:

1. The executive branch of the Federal Government; or

2. A position outside the executive branch that is subject by statute to competitive service requirements or is determined by the appropriate legislative or judicial administrative body to be covered by the retention regulations.

Modifications to General Coverage of the RIF Regulations.

1. Administrative law judges are subject to the modified RIF procedures in part 930 of title 5, Code of Federal Regulations, that do not consider performance in determining retention standing.

2. Certain positions covered by Indian preference laws are subject to modified RIF procedures pursuant to section 472a of title 25, United States Code.

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3. Employees of the U.S. Postal Service who are eligible for veterans' preference in retention are covered by part 351 of title 5, Code of Federal Regulations, under authority of section 1005(a)(2) of title 39, United States Code.

   Postal Service employees who are not eligible for veterans' preference are not covered by the RIF regulations.

4. "Hybrid" health care personnel of the Department of Veterans Affairs, as provided under title 38, United States Code, compete as excepted service employees under the RIF regulations.

   "Non-hybrid" health care personnel of the Department of Veterans Affairs whose employment is governed in significant part by chapter 74 of title 38, United States Code, are covered by the RIF regulations. (Part-time health care professionals of the Department of Veterans Affairs who are appointed under authority of section 7405(a)(1) of title 38, United States Code, are not covered by part 351 of title 5, Code of Federal Regulations.)

Employees Excluded From Coverage of the RIF Regulations. The RIF regulations do not apply to:

1. A National Guard Technician;

2. A member of the Senior Executive Service;

3. An employee in a position outside the executive branch, except for a position that is subject by statute to competitive service requirements, or is determined by the appropriate legislative or judicial administrative body to be covered by the RIF regulations;

4. An employee whose appointment is required by Congress to be confirmed by, or made with the advice and consent of, the United States Senate;

5. A reemployed annuitant, unless the appointing officer determines that an annuitant may compete under the RIF regulations (an annuitant serves at the will of the appointing officer and may be separated at any time at the discretion of the appointing officer, but if the agency does not separate the annuitant prior to a RIF, the agency determines the annuitant's retention standing on the basis of the employee's actual appointment; the annuitant then competes in the RIF in the same manner as other competing employees);

6. A foreign national employee appointed under programs authorized by section 408 of the Foreign Service Act of 1980 (22 U.S.C. 3968), which may include special plans for RIF (in these plans an agency may give effect to local labor laws and

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7. A member of the Public Health Service (PHS) (Note—A member of the PHS is a member of a "uniformed service" and is not a civilian employee covered by the RIF regulations);

8. A Department of Defense Nonappropriated Fund (NAF) employee, who competes for retention with other NAF employees on the basis of agency-specific RIF procedures);

9. Some employees included in an alternative personnel system authorized as a demonstration project or similar alternative personnel system (Note—The implementing regulations and related implementing issuances covering the demonstration project or alternative personnel system document any applicable modified RIF procedures); and

10. A part-time health care professional of the Department of Veterans Affairs who is appointed under authority of section 7405(a)(1) of title 38, United States Code, is excluded from civil service laws, rules and regulations, including the RIF regulations.

RIF Actions and Reasons. A personnel action must be effected under RIF procedures when both the action to be taken and the reason for the action are covered by the RIF regulations. An action that meets one, but not both, conditions, is not a RIF action and must be taken under other appropriate authority. "Action to be taken" is the release of an employee from a RIF competitive level by:

1. Separation;

2. Demotion;

3. Furlough for more than 30 continuous days or more than 22 discontinuous workdays; or

4. Reassignment requiring displacement in first-round RIF competition (i.e., competition to remain in the same competitive level) or in second-round competition (i.e., competition to displace a lower-standing employee in a different competitive level).

"Reason for the action" is:

1. Lack of work;

2. Shortage of funds;

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3. Insufficient personnel ceiling;

4. Reorganization;

5. An individual's exercise of reemployment rights or restoration rights; or

6. Reclassification of an employee's position due to erosion of duties when this action will take effect after an agency has formally announced a RIF in the employee's competitive area, and the RIF will take effect within 180 days.

The RIF regulations do not allow an agency to conduct a RIF retroactively unless an intervening event has occurred (such as a RIF action that followed a retroactive restoration).

Actions Excluded From RIF Coverage. The RIF regulations do not apply to:

1. The termination of a temporary or term promotion, or the return of an employee to a position held before the temporary or term promotion or to a position of equivalent grade and pay;

2. A change to lower grade based on the reclassification of an employee's position due to the application of new classification standards or the correction of a classification error;

3. A change to lower grade based on the reclassification of an employee's position due to erosion of duties, except that this exclusion does not apply to reclassification actions that will take effect after an agency has formally announced a RIF in the employee's competitive area and when the RIF will take effect within 180 days (this exception ends at the completion of the RIF);

4. Placement of an employee serving on an on-call or seasonal basis in a nonpay, nonduty status in accordance with conditions established at time of appointment;

5. A change in an employee's work schedule from part-time to full-time (Note—An involuntary change from full-time to part-time is covered by the RIF regulations);

6. A reduction in the number of scheduled hours within a part-time tour of duty (for example, from 32 to 16 scheduled hours per week);

7. A reduction in rank (for example, a reassignment of an employee from a supervisory position to a nonsupervisory position);

8. A constructive demotion (for example, an employee's position is reclassified to a higher grade because of a new classification error and the employee is not

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promoted even though the employee is qualified for the higher-graded position); or

9. A furlough of 30 or fewer continuous days, or of 22 or fewer discontinuous workdays.

Agency Authority to Reassign. At its discretion, an agency may reassign an employee, without regard to RIF procedures, to a vacant position at the same grade and rate of pay. The position may be in the same, or in a different:

1. Competitive level;

2. Competitive area; or

3. Local commuting area.

A reassignment to a position in a different pay schedule (e.g., GS to FWS or vice versa) must not involve either a promotion or a demotion.

Optional Use of RIF or Reassignment. At its discretion, an agency may provide an offer of a position at the same grade and pay to an employee who is reached for a RIF action by either:

1. Offering the employee assignment under the RIF regulations to an encumbered or a vacant position; or

2. Reassigning the employee to a vacant position.

An agency is required to use the RIF regulations only if the employee is separated, downgraded, or placed in a nonpay status as a RIF furlough, because of an action and reason described in "RIF Actions and Reasons" above.

No Special RIF Rights From Compensable Injury. An employee absent because of a work-related compensable injury has no special protection in a RIF. An employee is separated by RIF while the employee is receiving injury compensation benefits has no restoration rights based upon the injury.

Employees May Volunteer for RIF Only if Authorized by Statute. The abolishment of a position and a subsequent RIF are agency-initiated actions. Without specific statutory authority, an employee may not volunteer for a RIF action.

For example, section 3502(f) of title 5, United States Code, authorizes potential voluntary RIF actions in the Department of Defense (DoD) if the voluntary separation results in the retention of a DoD employee in a similar position who will otherwise be separated by RIF. Similarly, section 3136 of Public Law 106-398 authorizes potential voluntary RIF

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separations for Department of Energy employees at closure projects if the voluntary separation results in the retention of an Energy employee in a similar position who would otherwise be separated by RIF.

Section D: *Reorganization, Misclassification, and Job Erosion*

Reorganization Basics. "Reorganization" means the planned elimination, addition, or redistribution of functions or duties in an organization.

Use of RIF Procedures in Reorganization. If a reorganization results in an employee being reached for separation or downgrading, the agency must follow the RIF regulations, but only at the time of actual separation or downgrading. The agency may implement a reorganization when organizational changes actually take place, or at a later date such as during a classification survey.

Most RIF actions are actually reorganizations, resulting from lack of work, shortage of funds, or reduction in personnel ceiling. Also, an agency decision to privatize work under Office of Management and Budget (OMB) Circular A-76 or other authority (including a Most Efficient Organization (MEO) decision) is a reorganization covered by the RIF regulations for any employee separated or demoted as a result of the agency's action.

The agency has the right to conduct a reorganization and a RIF at any time, not just in direct response to an event such as a reduction in available funds. For example, the agency may decide to reorganize its workforce or reporting relationships to accommodate a shortage in available funds. As explained in Section C, under "Agency Authority to Reassign," an agency may reassign an employee to another position at the same grade without regard to relative retention standing, and avoid the use of RIF procedures in a reorganization.

Misclassification Due to New Classification Standard or Correction of Classification Error. If the grade of a position must be reduced because of the application of new OPM classification standards or the correction of a classification error, the agency does not use RIF procedures. In these situations, the duties of the position do not change; the grade of the position changes because of new classification standards or the correction of the classification error.

Reclassification Due to Job Erosion. "Job erosion" describes a situation where the grade of a position must be reduced because duties have gradually drifted away through an extended erosion process. In job erosion cases, there is no record of:

1. The reason why the grade-supporting duties of a position are no longer being performed; and

2. The time frame when the change to grade-controlling duties actually occurred.

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Job erosion contrasts with a reclassification due to reorganization, where the agency carries out a planned change in duties when the record shows:

1. A direct or indirect management decision resulting in the deletion of the grade-supporting duties of a position; and

2. The time frame when management made this decision.

Use of RIF in Job Erosion. The RIF regulations apply to job erosion reclassification actions when:

1. The job erosion downgrading action will take effect after an agency has formally announced a RIF in the employee's competitive area; and

2. The RIF will occur within 180 days after the effective date of the downgrading action.

In deciding whether job erosion is an option, the agency must consider whether a RIF has been announced, and will take effect within 180 days, in the employee's competitive area.

Accretion of Duties. At its option, an agency may promote an employee without the usual competitive procedures if the agency reclassifies the position on the basis of additional duties and responsibilities. If the agency noncompetitively promotes employees on the basis of accretion of duties and responsibilities, the agency is responsible for establishing its formal policies to document that each promotion is legitimate.

Section E: *Competitive Area*

Competitive Area Basics. Each agency must establish competitive areas that are the boundaries within which employees compete for retention under the RIF regulations. The competitive area includes all employees within the organizational unit(s) and geographical location(s) that are included in the competitive area definition. In any one RIF, an agency may not use one competitive area for the first round of competition, and a different competitive area for the second round of competition.

Employees in a competitive area compete for retention under the RIF regulations only with other employees in the same competitive area. Employees do not compete for retention with employees of the agency who are in a different competitive area.

There is no minimum or maximum number of employees in a competitive area. An employee who teleworks competes in RIF on the basis of the duty station or work site documented for the employee's official position of record.

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Basis for Competitive Area. Generally, an agency must define each competitive area solely in terms of organizational unit(s) and geographical location(s). Agencies have the option of establishing a competitive area comprised only of pay band positions when the competitive area would otherwise include pay band positions and other positions not covered by a pay band.

An agency may not define a competitive area on the basis of other considerations (such as bargaining unit membership, grade, occupation, etc.).

The same competitive area standard applies to both headquarters and field activities:

- A minimum headquarters or field activity competitive area is any organizational unit under separate administration (which is explained below) within the local commuting area.

- The agency uses the same general minimum standard of separate administration within the local commuting area to establish competitive areas for both headquarters and field components.

If two or more field activities are grouped at the same field installation, but are organizationally independent and separate from each other in operation, work function, staff, and personnel management, each activity may properly be designated a competitive area.

Inspector General Competitive Areas. An agency must establish a separate competitive area for an Inspector General activity established under authority of the Inspector General Act of 1978 (Public Law 95-452, as amended). This competitive area consists of only employees of the Inspector General activity.

Separate Administrative Management Authority in Competitive Area Determinations. As used for purposes of establishing a minimum competitive area, "separate administration":

1. Is the administrative authority to take or direct personnel actions (including the authority to establish positions, abolish positions, assign duties, etc.) rather than the issuance or processing of the documents by which these decisions are effected;

2. Means that the organizational unit is separately organized and clearly distinguished from other organizational units within the same local commuting area in regard to operation, work function, staff, and personnel management;

3. Recognizes that individual organizational components may be under separate administration even though many agencies reserve final approval of certain personnel actions to a higher level in the agency (including classification of

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positions, filling of higher-graded positions, processing of personnel actions, etc.); and

4. Is evidenced by the agency's organizational manual and delegations of authority that document where, in the organization, final authority rests to make decisions such as establishing positions, abolishing positions, assigning duties, etc. This is the standard for a minimum competitive area in a local commuting area, in either a headquarters organization or field component.

The fact that the same personnel office services several activities does not constitute "separate administration" and does not, of itself, require that they be placed in the same competitive area. The personnel office merely processes personnel actions rather than having final responsibility to make decisions on whether to establish positions, abolish positions, assign duties, etc.

Size of Competitive Area. An agency has considerable flexibility in defining a competitive area that is consistent with the RIF regulations. The RIF regulations do not require:

1. A competitive area that is larger than the minimum standard covered in the "Basis for Competitive Area" paragraph above (a competitive area may not be smaller than the minimum standard covered in that paragraph);

2. A minimum or maximum number of employees to be included in a competitive area; or

3. A minimum or maximum organizational or geographic size for the competitive area.

Local Commuting Area. The geographic area that usually includes one area for employment purposes, as determined by the agency. The local commuting area includes any population center (or two or more neighboring centers) and the surrounding localities in which people live and can reasonably be expected to travel back and forth every day to their usual employment. Each agency has the right and the responsibility to define local commuting areas and apply this definition. OPM has not established a mileage standard to determine when two local duty stations would be included in the same local commuting area.

Local Commuting Area and Competitive Area. When an organization has components in more than one local commuting area, the agency may designate each local commuting area as a separate competitive area. When two or more different organizations of the same agency are located in the same local commuting area, to determine a minimum competitive area, the agency should refer to its controlling documentation to determine whether the organizations are under separate administration as described in the above paragraph, "Separate Administrative Management Authority in Competitive Area Determinations."

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Record of Competitive Area Definitions. When an agency establishes or changes competitive areas, it must publish descriptions of the areas or otherwise make them readily available for review by employees and OPM. The agency usually includes its competitive area definition(s) in its internal personnel manual, or with similar documents relating to the agency's specific RIF procedures.

Restriction on Changing Competitive Area Definitions Within 90 Days of the RIF Effective Date. An agency must establish competitive areas at least 90 days prior to a RIF effective date unless, at its option, the agency requests an OPM exception to the usual 90-day competitive area requirement. A new competitive area does not result from changes within an existing competitive area such as the transfer of a function from another competitive area prior to the RIF effective date, or the updating of the competitive area definition to document other organizational changes that have taken place since the competitive area definition was last updated.

Request to OPM for Exception to 90-Day Requirement. The agency should submit the request to OPM as soon as possible, and should include the following information:

1. Identification of the proposed competitive area, including the organizational segment, geographic location, and limits of the local commuting area;

2. A description of how the proposed area differs from the one previously established for the same unit and geographic area;

3. An organizational chart of the agency showing the relationship between the organizational components within the competitive area and other components in the commuting area;

4. The number of competing employees in the proposed competitive area;

5. A description of the operation, work function, staff, and personnel administration of the proposed area and, where appropriate, a description of how the area is distinguished from others in these respects; and

6. A discussion of the circumstances that led to the proposed changes less than 90 days before a proposed reduction.

OPM Address to Send Request. The agency should send its competitive area request to:

Deputy Associate Director
Recruitment and Hiring
U.S. Office of Personnel Management
1900 E Street NW, Room 6500
Washington, DC 20415

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To expedite processing, the agency may also fax the request to 202-606-4430.

Section F: *Competitive Level*

Competitive Level Basics. After establishing the competitive area, the agency establishes competitive levels that include groups of interchangeable positions. When the agency applies the four RIF retention factors (tenure, veterans' preference, length of service, and performance ratings) to the competitive level, the competitive level becomes a retention register, which lists employees in the order of their relative retention standing. The terms "competitive level" and "retention register" are generally used in reference to a final retention register without regard to this distinction.

Position Descriptions are Basis for Competitive Levels. The agency establishes competitive levels on the basis of each employee's official position of record. Even when using an automated system to determine employees' retention rights, the agency's burden of proof in an employee's appeal to the Merit Systems Protection Board is still the employee's official position of record, including the position description. At its option in considering a competitive level appeal, the Board has the right to consider evidence other than the employee's official position description.

The agency determines the competitive level on the basis of the position's classification series and/or grade on the effective date of the RIF. An agency may not place positions in a competitive level on the basis of the personal qualifications or performance levels of individual employees.

Establishing Competitive Levels. A competitive level consists of positions in the competitive area that are:

1. In the same grade (or occupational level);

2. In the same classification series; and

3. Similar enough in duties, qualification requirements, pay schedules, and working conditions, so that an agency may reassign the incumbent of one position to any of the other positions in the level without causing undue interruption in the agency's work.

The agency determines an employee's RIF rights based on the actual grade of the employee's permanent official position of record, not on a retained grade that the employee is receiving based on a prior RIF or other qualifying action. "Qualification requirements" for purposes of establishing competitive levels include medical standards approved by OPM and/or specific agency-established medical and physical requirements

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that are included in the position description of a competing employee's official position of record.

Interchangeable Positions are in the Same Competitive Level. Positions in the same competitive level are so similar that the agency may readily assign an employee in one position to any of the other positions in the competitive level:

1. Without changing the terms of the employee's appointment; and

2. Without undue interruption to the agency's work program.

There is no minimum or maximum number of positions that can be placed in a competitive level; for example, a competitive level could potentially consist of one unique position.

Application to Pay Band Positions. If a competitive area includes positions in one or more pay bands, each set of interchangeable positions in the pay band is a separate competitive level. If the positions are not interchangeable, the pay band may include multiple competitive levels. The agency uses the employees' official position descriptions (or equivalent) rather than personal qualifications to establish each competitive level. As appropriate, the entire pay band may be one competitive level (e.g., all the positions in the pay band have the same or interchangeable position descriptions and are placed in one competitive level), or the pay band may include multiple competitive levels (e.g., the positions in the pay band have two or more position descriptions documenting distinct areas of expertise and are placed in different competitive levels within the pay band because the positions are not interchangeable).

A competitive level in a pay band compensation system may include positions with different actual salaries. For example, a pay band competitive level could include interchangeable positions that, before implementation of the agency's pay band compensation system, were classified from GS-11 through GS-13. In this situation the agency does not consider employees' actual salaries in determining their relative retention standing. For comparison, a competitive level under a traditional compensation system includes only positions at the same grade (e.g., a GS-12 position would be included only on a competitive level with other interchangeable GS-12 positions).
Separate Competitive Levels Required. Consistent with the standard for interchangeability covered above, the agency must establish separate competitive levels for certain positions:

1. Competitive and Excepted Service: The agency must establish separate competitive levels for positions in the competitive service, and for positions in the excepted service. Employees who hold excepted service appointments in competitive service positions (e.g., Veterans Recruitment Appointments (VRA)) compete for retention in the excepted service, but do not compete for retention with employees who hold the same positions under competitive service appointments.

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2. Excepted Service Appointment Authority: The agency establishes separate competitive levels for excepted service positions filled under different appointing authorities. Employees who hold excepted service appointments in competitive service positions compete for retention in the excepted service only with other employees holding positions under the same excepted service appointing authority. For example, employees holding excepted service VRA positions compete for retention only with other employees who hold the same positions under VRA appointments.

3. Pay System: The agency establishes separate competitive levels for positions filled under different pay systems or pay schedules.

4. Work Schedule: The agency establishes separate competitive levels for positions filled on different work schedules—

    - Full-time;
    - Part-time;
    - Intermittent; or
    - Seasonal.

    An agency has no authority to establish separate competitive levels based upon subsets of the four work schedule categories covered above (e.g., an agency may not establish one competitive level for full-time seasonals and a second for part-time seasonals when the positions are otherwise interchangeable).

5. Formally Designated Trainee or Developmental Positions: The agency establishes separate competitive levels for positions filled by employees in a formally designated trainee or developmental program that has the following characteristics:

    - Is designed to meet the agency's needs and requirements for the development of skilled personnel;
    - Is formally designated as a trainee or developmental program, with its provisions announced to employees and supervisors;
    - Is developmental by design, offering planned growth in duties and responsibilities and providing advancement in recognized lines of career progression; and
    - Is fully implemented, with the participants chosen for the program through standard selection procedures.

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6. Supervisory Positions and Competitive Levels: The RIF regulations no longer have a specific requirement that an agency must establish a separate competitive level solely because an employee holds a supervisory rather than a nonsupervisory position. (Note: The duties and responsibilities of a supervisory position will generally preclude placement of the position in a competitive level that includes a nonsupervisory position.)

7. Mixed Tours Positions and Competitive Levels. An employee serving on a mixed tour of duty is placed in an other-than-full-time competitive level consistent with the employment agreement between the agency and the employee serving in the mixed tour of duty position.

   A mixed tours position is never placed in a competitive level established for full-time positions. If the mixed tours employment agreement between the agency and the employee provides that the agency may schedule the mixed tours employee only for full-time and part-time service (i.e., the agreement does not cover intermittent service), the agency places the employee in the appropriate competitive level for part-time positions. If the mixed tours employment agreement between the agency and the employee provides that the agency may schedule the mixed tours employee for full-time, part-time, and intermittent service, the agency places the employee in an appropriate competitive level for intermittent positions.

Separate Competitive Levels Prohibited. An agency may not place a position on a separate competitive level based solely on:

1. The gender of an employee, except when OPM has determined that certification of eligibles by gender is justified;

2. A requirement to serve a probationary period for initial appointment to a supervisory or managerial position;

3. A difference in the number of hours or weeks scheduled to be worked by other-than-full-time employees who otherwise would be in the same competitive level;

4. A requirement to work changing shifts;

5. The grade promotion potential of the position;

6. A difference in the local wage areas when a competitive area includes positions covered by more than one locality pay area in which wage grade positions are located;

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7. A difference in locality payments under 5 U.S.C. 5304 and subpart F of part 531 of title 5, Code of Federal Regulations, when a competitive level includes more than one locality pay area listed in section 531.603 of title 5, Code of Federal Regulations; or

8. Representative rates in different local commuting areas when a competitive area includes General Schedule (GS) and wage grade positions in multiple GS locality pay areas, and/or Federal Wage System (FWS) local wage areas.

    - One example would involve a competitive area that includes GS positions in both Norfolk and Richmond, Virginia. The agency would decide whether to establish GS competitive levels on the basis of the representative rate in Norfolk or the rate in Richmond.

    - In a different example, where a competitive area includes FWS positions in both Pensacola, Florida, and Gulfport, Mississippi, the agency would decide whether to establish FWS competitive levels on the basis of the representative rate in Pensacola or the rate in Gulfport.

    - A third example might involve a competitive area that includes more than one local commuting area. The agency would use the same local commuting area to establish its competitive levels for both GS and FWS positions.

In the second example above with Pensacola and Gulfport, the agency would decide whether to establish all its competitive levels on the basis of representative rates in Pensacola, or the rates in Gulfport. The agency may not use one local commuting area in the competitive area to establish representative rates for one pay schedule (e.g., GS), and a different local commuting area in the competitive area to establish representative rates for a different pay schedule (e.g., FWS) used in the same RIF. The agency may not use the Pensacola representative rates for GS positions, and the Gulfport representative rates for FWS positions.

See Section U of this chapter for information on consideration of representative rates in determining employees' assignment rights when a competitive area includes positions in multiple locality pay areas.

Mobility Agreements and Travel Not Considered in Competitive Levels. An agency has no authority under the RIF regulations to establish separate competitive levels based upon a position's requirement for:

1. A mobility agreement; or

2. Travel.

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Consideration of Security Clearances When Establishing Competitive Levels. If one position has a security clearance requirement in its official position description or otherwise officially required in the position, but an otherwise interchangeable second position does not have an equivalent security clearance requirement in its official position description or otherwise officially required in the position, the agency would establish separate competitive levels for the two positions if the process to require equivalent clearances for the two positions would extend more than 90 days past the RIF effective date, resulting in undue interruption, which is defined in Chapter VI, Glossary.

In making a qualifications determination on whether otherwise interchangeable positions with different security clearance requirements are placed in the same competitive level or placed in different competitive levels, the agency considers whether the time period required for completion of a security clearance will result in undue interruption to the activity.

Whether or not a security clearance requirement is contained in the employees' official position descriptions, the agency could establish separate competitive levels if the clearance approval process would extend more than 90 days past the effective date of the RIF.

Section G: *Establishing Retention Registers*

Retention Register Basics. The retention register applies the four retention factors required by law (i.e., tenure, veterans' preference, length of service, and performance ratings) to the competitive level. The retention register lists all competing employees in the order of their relative retention standing in a single competitive level.
Employees Listed on the Retention Register. The retention register includes the name of each competing employee who holds an official position of record in the competitive level and is:

1. Serving in that position;

2. Temporarily promoted from the competitive level by either temporary promotion or term promotion; or

3. Detailed from the competitive level under section 3341 of title 5, United States Code, or under other authority.

Employees Not Listed on the Retention Register Because of Armed Forces Restoration Rights. The retention register does not include the name of a competing employee on military duty with a restoration right to the competitive level. The employee does not compete for retention under the RIF regulations; instead, the employee has a restoration right based on his or her military service.

Employees Listed Apart From the Retention Register. Employees holding certain positions in a competitive level do not compete for retention in that competitive level.

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The agency identifies these employees by entering the name of each noncompeting employee on a separate list.

For example, the agency enters on the separate list the name of each employee who is serving in the competitive level under a:

1. Time-limited temporary appointment;

2. Term promotion; or

3. Temporary promotion.

The agency also enters on the separate list the name of each employee who holds an official position of record in the competitive level and who has received a final written decision of removal or demotion because of Unacceptable (or equivalent) performance, or because of adverse action.

An employee who has received a written decision of demotion because of Unacceptable (or equivalent) performance, or because of adverse action, competes for retention from the position to which the employee will be, or has been, demoted.

Section H: *Determining Employees' Retention Standing*

Retention Standing Basics. The four statutory retention factors are implemented in the following order on the retention register:

1. Tenure is the first factor and is implemented through three tenure groups on the retention register, which are described in Section I below;

2. Veterans' preference is the second factor and is implemented through three tenure subgroups on the retention register, which are described in Section J below;

3. Service is the third factor and is implemented through each employee's service computation date on the retention register; and

4. Performance is the fourth factor and is implemented through additional service added for retention to the employee's service computation date on the retention register.

Order of Employees on the Retention Register. The agency lists competing employees on the retention register in the following order:

1. Tenure Groups. The order of the three retention tenure groups on the retention register is:

    - Group I;

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- Group II; and
- Group III.

2. Tenure Subgroups. The order of the three veterans' preference retention tenure subgroups on the retention register is:

   - Subgroup AD;
   - Subgroup A; and
   - Subgroup B.

3. Service Credit. Within each subgroup, the agency first establishes a service computation date for each competing employee.

4. Performance. Then within each subgroup, the agency adds additional service credit for performance, listing the employee with the earliest service computation date for RIF at the top of the subgroup.

Section I: *Retention Tenure Groups*

Competitive Service Tenure Groups. The RIF regulations define three competitive service tenure groups.

1. Group I includes each career employee who is not serving a probationary period for appointment to a competitive position.

   An employee serving a probationary period required for a supervisory or managerial position does not affect the tenure group designation.

   The following employees are in tenure group I as soon as they complete any required probationary period for initial appointment:

   - An appointment for whom substantial evidence exists of eligibility to immediately acquire status and career tenure and whose case is pending final resolution by OPM (including cases under Executive Order 10826 to correct certain administrative errors);
   - An employee who acquires competitive status and satisfies the service requirement for career tenure when his or her position is brought into the competitive service;
   - An administrative law judge;

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- An employee appointed under section 3104 of title 5, United States Code, (which provides for the employment of specifically qualified scientific and professional personnel) or a similar authority; and

- An employee who acquires status under section 3304(c) of title 5, United States Code, on transfer to the competitive service from the legislative or judicial branches of the Federal Government.

2. Group II includes:

   - Each career-conditional employee;

   - Each employee serving a probationary period for initial appointment to a competitive position; and

   - An employee is in tenure group II when substantial evidence exists of eligibility to immediately acquire status and career-conditional tenure and the employee's case is pending final resolution by OPM (including cases under Executive Order 10826 to correct certain administrative errors).

3. Group III includes each employee serving under:

   - Indefinite appointment;

   - Temporary appointment pending establishment of a register (TAPER);

   - Term appointment;

   - Status quo appointment;

   - A provisional appointment; or

   - Any other nonstatus nontemporary appointment.

A competitive service employee serving under a temporary limited appointment is not in tenure group III and is not a competing employee (tenure group "0"), except when the employee serves in a provisional appointment that was:

- Granted by OPM; or

- Made under an authority established by law, Executive order, or regulation. Excepted Service Tenure Groups. The RIF regulations define three excepted service tenure groups.

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1. Group I includes each permanent employee whose appointment carries no restriction or condition such as conditional, indefinite, specific time limit, or trial period.

2. Group II includes each employee:

   - Serving a trial period; or

   - Whose tenure is equivalent to a career-conditional appointment in the competitive service in agencies having these appointments.

3. Group III includes each employee:

   - With indefinite tenure (an appointment without a specific time limit, but not actually or potentially permanent);

   - Under an appointment with a specific time limitation of more than 1 year; or

   - Who is currently serving under a temporary appointment limited to 1 year, but has completed one year of current continuous service under a temporary appointment with no break in service of 1 workday or more.

Section J: *Veterans' Preference in RIF*

General Eligibility for Veterans' Preference in RIF. Except for an employee who is a retired member of the Armed Forces, an employee who is eligible for veterans' preference for purposes of initial appointment to the Federal service is also eligible for veterans' preference under the RIF regulations. See "Veterans' Preference in RIF When the Employee is Retired From a Uniformed Service" below for additional information.

In making an official determination of whether an employee is entitled to veterans' preference for retention, or to determine whether an employee's service in the Armed Forces is creditable for retention, refer to OPM's *VetGuide*, which is available on the OPM website at www.opm.gov.

An agency has no authority to apply a "freeze" and restrict an employee from updating veterans' preference records prior to the effective date of a RIF. An agency is not required to consider veterans' preference records that are not available until after the effective date of the RIF.

Tenure Subgroups. The RIF regulations define three tenure subgroups. Within each of the three tenure groups on a retention register, the agency places the names of competing employees in veterans' preference tenure subgroups. The same tenure subgroups are used for positions filled under competitive and excepted appointments.

1. Subgroup AD includes each veterans' preference-eligible employee who has a compensable service-connected disability of 30 percent or more.

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2. Subgroup A includes each veterans' preference-eligible employee not in subgroup AD, including all employees eligible for "derivative preference" under section 2108(3)(D)-(G) of title 5, United States Code.

3. Subgroup B includes each employee not eligible for veterans' preference under the RIF regulations.

Derivative Preference in RIF. Veterans' preference also extends to four types of employees who are eligible for derivative preference, and who are therefore in retention subgroup A:

1. The unmarried widow or widower of a veteran, as "veteran" is defined in section 2108(1)(A) of title 5, United States Code (5 U.S.C. 2108(3)(D));

2. The spouse of a service-connected disabled veteran, as "disabled veteran" is defined in section 2108(2) of title 5, United States Code, who has been unable to qualify for a Federal position (5 U.S.C. 2108(3)(E));

3. The mother of a veteran (as "veteran" is defined in section 2108(1)(A) of title 5, United States Code) who died in a war or campaign, provided that the mother also meets other statutory conditions covered in section 2108(3)(F) of title 5, United States Code (5 U.S.C. 2108(3)(F)); or

4. The mother of a permanently disabled veteran (as "disabled veteran" is defined in section 2108(2) of title 5, United States Code), provided that the mother also meets other statutory conditions covered in section 2108(3)(G) of title 5, United States Code (5 U.S.C. 2108(3)(G)).

There is no authority to place an employee in retention subgroup AD on the basis of derivative preference.

Veterans' Preference in RIF When the Employee is Retired From a Uniformed Service. The law limits veterans' preference for retired members of a uniformed service to an employee who meets one of the following two conditions:

1. The employee's retirement from a uniformed service without regard to benefits from the Department of Veterans Affairs is based on a disability that either:

    - Resulted from injury or disease received in the line of duty as a direct result of armed conflict, or

    - Was caused by an instrumentality of war, and was incurred in the line of duty during a period of war as defined by sections 101 and 301 of title 38, United States Code;

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2. The employee's retirement from a uniformed service is based on less than 20 years of full-time active service, excluding periods of active duty for training, regardless of when performed, and either:

    - Retired at the rank of major (or equivalent) or higher, and is a disabled veteran, as defined in section 2108(2) of title 5, United States Code; or

    - Retired below the rank of major (or equivalent).

The restrictions on veterans' preference for RIF also apply to early retirement from the Armed Forces under Public Law 102-484 based upon a minimum of 15 (rather than 20) years of active military service.

Veterans' Preference in RIF When the Employee is Retired From the Armed Forces as a Reservist. A veteran who becomes eligible for retired pay at age 60 as a reservist is not subject to the same restrictions on preference because the retirement from the Armed Forces is based on less than 20 years of creditable active service. If the employee otherwise meets the requirements for veterans' preference, the reservist is eligible for veterans' preference in RIF until age 60 when the Armed Forces retirement pay commences.

To retain RIF preference at age 60, the reservist must have either:

1. Retired at the rank of major (or equivalent) or higher, and be a "disabled veteran," as defined in section 2108(2) of title 5, United States Code; or

2. Retired below the rank of major (or equivalent).

Section K: *RIF Service Credit*

Service Credit on the Retention Register. The agency lists competing employees on the retention register within tenure groups and subgroups by length of service, in descending order starting with the earliest service computation date for RIF.

Responsibility of the Agency to Determine Employee's Retention Service Dates. The agency is responsible for determining each employee's retention service date (defined in Chapter VI, Glossary of Terms) as of the RIF effective date. The agency has no authority to use a "freeze" date as the basis to exclude creditable retention service credit that is verified before the RIF effective date. The agency is also responsible, if necessary, for correcting the retention service date of an employee to withhold retention service credit for noncreditable service.
Creditable Service for Retention. Employees receive RIF service credit for:

1. All civilian service performed as a Federal employee that meets the definition of "employee" in section 2105(a) of title 5, United States Code;

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2. Civilian service that does not meet the definition of "employee" in section 2105(a) of title 5, United States Code, if a controlling statute specifically defines this service as creditable under the RIF regulations; and

3. All active duty performed in a uniformed service, except as restricted by law for certain members of the Armed Forces who are receiving retired pay.

An employee may not receive dual retention service credit for service performed on active duty in the Armed Forces that was performed during concurrent employment as a Federal civilian employee.

Determining the Retention Service Date. An employee's retention service date under the RIF regulations is one of the three following dates, as applicable:

1. If the employee has no previous creditable service, the date that the employee entered on duty; or

2. If the employee has previous creditable service, the date obtained by subtracting the employee's total previous creditable service from the date that the employee last entered on duty; then as the final step

3. The date obtained by subtracting from the applicable date in 1 or 2 above, any retention service credit based on performance to which the employee is entitled under the RIF regulations.

Determining the Retention Service Date of Retired Members of the Armed Forces. The law limits the amount of military service that most retired members of the Armed Forces may credit under the RIF regulations.

If the retired member of the Armed Forces is not eligible for veterans' preference under the RIF regulations, the employee receives retention credit only for creditable active military service:

1. During a war declared by Congress (including World War II, which covers the period from December 7, 1941, to April 28, 1952); or

2. Actually performed in a campaign or expedition for which a campaign badge has been authorized.

If the retired member of the Armed Forces is eligible for veterans' preference under the RIF regulations, the employee receives retention credit for all creditable active service in the Armed Forces.

Section L: *Additional RIF Service Credit for Performance*

Time Period Covered by Employees' Ratings of Record. Each employee receives additional RIF service credit for performance based upon the average of the employee's

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three most recent ratings of record received during the 4-year period prior to the date that the agency either:

1. Issues specific RIF notices; or

2. Freezes ratings before issuing specific RIF notices.

Ratings of Record Used for RIF. An agency may use only a rating of record or an equivalent rating of record as the basis for granting retention service credit under the RIF regulations.

1. Employees who received ratings of record receive additional retention service credit based upon those ratings.

2. For an employee who is not covered by chapter 43 of title 5, United States Code, or by part 430 of title 5, Code of Federal Regulations, "rating of record" for purposes of part 351 of title 5, Code of Federal Regulations, means the officially designated performance rating, as provided for in the agency's appraisal system, that is considered to be an equivalent rating of record under the provisions of section 430.201(c) of title 5, Code of Federal Regulations.

Employees receive additional retention service credit based upon those ratings only if the agency conducting the RIF determines that the ratings are "equivalent ratings of record." If an agency has administratively adopted and applied the procedures of part 430, subpart B, of title 5, Code of Federal Regulations, to evaluate the performance of its employees, the ratings of record resulting from that evaluation are considered equivalent ratings of record for purposes of the RIF regulations.

Any other performance evaluation given while an employee is not covered by the provisions of part 430, subpart B, of title 5, Code of Federal Regulations, is considered to be a rating of record for purposes of the RIF regulations when the performance evaluation:

- Was issued as an officially designated evaluation under the employing agency's performance evaluation system;

- Was derived from the appraisal of performance against expectations that are established and communicated in advance and are work-related; and

- Identified whether the employee performed acceptably.

When the performance evaluation does not include a summary level designator and pattern comparable to those established at section 430.208(d) of title 5, Code of Federal Regulations, the agency may identify a level and pattern based on information related to the appraisal process.

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Ratings Must Be on Record. To be creditable for RIF purposes, a rating of record must have been issued to the employee, with all appropriate reviews and signatures, and must also be on record. This means that the rating was:

1. Issued to the employee;

2. Returned with all appropriate reviews and signatures; and

3. On record and available for use by the office responsible for preparing retention registers (i.e., the rating of record is final and has been entered into the agency's personnel records system).

Policy on Ratings of Record. Agencies must ensure that ratings of record are issued in accordance with established schedules and forwarded to the appropriate office on a timely basis. Because agencies' rating procedures may vary, each agency must set its own internal policy for processing ratings and putting them on record for RIF purposes; this policy must be:

1. Included in the agency's appropriate issuances that implement these performance management policies; and

2. Applied on a uniform and consistent basis in the competitive area where the RIF will take place.

Issuance on Performance Management Policy. The agency's issuances that implement its performance management policies must specify:

1. The conditions under which a rating of record is considered to have been received for purposes of determining whether it is within the 4-year period prior to either--

    - The date the agency issues RIF notices or
    - The agency-established cutoff date for ratings of record, as appropriate.

2. If the agency elects to use a cutoff date, the number of days prior to the issuance of RIF notices after which no new ratings of record will be put on record and used to determine employees' retention standing; and

3. If the agency has employees in a competitive area who have ratings of record under more than one pattern of summary levels, the number of years of additional retention service credit that it will establish for the summary levels.

The agency must make this information available for review.
Freezing Ratings. To provide time to properly determine employee retention standing prior to a RIF, the agency may establish a policy providing for a cutoff date that is a specified number of days prior to the date it issues a specific RIF notice. After the cutoff

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date, the agency may not put new ratings of record on record for RIF purposes. If adopted, this policy must be:

1. Applied on a uniform and consistent basis in the competitive area where the RIF will occur; and

2. Documented in the agency's performance management policies or other appropriate issuance.

Missing Ratings. If an employee has not received three actual ratings of record during the applicable 4-year period prior to the date the agency issues specific RIF notices or freezes ratings, the agency provides additional retention service credit for performance under the following procedures:

1. An employee who has not received any rating of record during the applicable 4-year period receives retention service credit for performance based on the modal rating for the summary level pattern that applies to the employee's official position of record at the time of the RIF (more information on modal ratings is provided below); or

2. An employee who has received at least one, but fewer than three, previous ratings of record during the applicable 4-year period, receives retention service credit for performance on the basis of the value of the actual rating(s) of record divided by the number of actual ratings received.

For example, an employee who has received only two actual ratings of record during the applicable 4-year period receives retention service credit for performance by adding together the value of the two ratings, then dividing the sum by two and rounding to the next higher whole number if the result is a fraction, to determine the amount of additional retention service credit. For another example, an employee who has received only one actual rating of record during the applicable 4-year period receives retention service credit for performance on the basis of the value of the single rating.
Modal Ratings. For each employee with no rating of record, the agency must determine:

- The employee's position of record;

- The performance appraisal program covering that position; and

- The summary level pattern covering the position on the RIF effective date.

The agency must use the same modal rating for all employees in the competitive area who:

1. Have no ratings of record within the 4-year period preceding the RIF notice or the cutoff date; and

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2. Are in positions of record covered by appraisal programs that use the same summary pattern.

The agency may not determine the modal rating based upon a smaller grouping, such as only employees in an occupation or a classification series. As applicable, the agency determines separate modal ratings for each of the (up to) eight different summary level patterns potentially used by the agency's appraisal programs. In making this determination, the agency may find that more than one pattern has the same modal rating.

For example, based on the agency's performance records, the agency may find that Level 3 (Fully Successful, or equivalent) is the modal rating for both Pattern A (a two-level Pass/Fail pattern) and Pattern H (a traditional five-level pattern). In this example, the agency then determines whether to provide the same or different amounts of retention service credit for Level 3 or higher ratings under Pattern A and Pattern H (e.g., at its option, the agency could provide the same retention credit for the Level 3 rating in Pattern A and for all three ratings from Level 3 through Level 5 in Pattern H).
Amount of Credit; Single Rating Pattern. If the agency finds that all employees in a RIF competitive area received all of their ratings of record under a single pattern of summary levels as covered in section 430.208(d) of title 5, Code of Federal Regulations, the agency gives additional retention service credit to the employees in additional years of service on the basis of the mathematical average of each employee's ratings of record:

1. 20 additional years of service for each rating of record of Outstanding or equivalent summary (Level 5);

2. 16 additional years of service for each rating of record of Exceeds Fully Successful or equivalent summary (Level 4); and

3. 12 additional years of service for each rating of record of Fully Successful or equivalent summary (Level 3).

If the average is a fraction, the agency rounds up the fraction to the next higher whole number. The agency may not give any additional retention service credit ratings for a rating of record below Fully Successful or equivalent. For example, the agency may not give any additional retention service credit for ratings of record of Minimally Successful or equivalent (Level 2), or Unacceptable or equivalent summary (Level 1).
Amount of Credit; Multiple Single Rating Patterns. If an agency has employees in a competitive area who have received ratings of record under more than one pattern of summary levels, as covered in section 430.208(d) of title 5, Code of Federal Regulations, the agency must consider the mix of patterns and provide additional retention service credit for performance to employees, expressed in additional years of service, as follows:

1. The additional years of service for RIF purposes consist of the mathematical average (rounded in the case of a fraction to the next higher whole number) of the additional retention service credit that the agency established for the summary levels of the employee's applicable rating(s) of record.

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2. The agency must establish the amount of additional retention service credit provided for summary levels only in full years.

3. The agency may not establish additional retention service credit for summary levels below Level 3 (Fully Successful or equivalent).

4. When establishing additional retention service credit for the summary levels at Level 3 (Fully Successful or equivalent) and above, the agency must provide at least an additional 12 years, but no more than 20 additional years, of additional retention service credit for a summary level.

5. The agency may establish the same number of years of additional retention service credit for more than one summary level.

6. The agency must establish the same number of years of additional retention service credit for all ratings of record with the same summary level in the same pattern of summary levels. (See section 430.208(d) of title 5, Code of Federal Regulations, for information on patterns of summary levels used in appraisal programs).

7. The agency may establish a different number of years of additional retention service credit for the same summary level in different patterns.

8. In providing service credit for retention to employees who are under more than one pattern of summary levels, the agency must specify the number of years of additional retention service credit that it will establish for summary levels (5 CFR 351.504(e)(7)).

The agency must make this information available for review in the appropriate issuances that implement the agency's performance management policies.
Proposed Decision to Remove or Demote Because of Unacceptable Performance. An employee with a current Level 1 (Unacceptable or equivalent) rating of record who has not received a final written decision of removal or demotion because of unacceptable performance is not penalized in first-round RIF competition, and is listed on the retention register with other employees. The employee has no rights to positions in second-round RIF competition.

The employee is assigned to the appropriate group and subgroup and receives credit for all applicable service. The employee also receives any service credit to which entitled for the other two previous ratings of record.

Proposed Decision to Remove or Demote Because of Adverse Action. An employee with a proposed, but not a final, written decision of removal or demotion because of a pending adverse action, is not penalized solely on that basis in first or second-round RIF competition, and is listed on the retention register with other employees.

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Final Decision to Remove or Demote . An employee who has received a final written decision of removal because of unacceptable (or equivalent) performance competes differently from an employee who has received a final written decision of demotion due to unacceptable (or equivalent) performance:

- An employee who, as of the effective date of the RIF, has received a final written decision of removal because of unacceptable performance, or because of adverse action, is listed apart from the retention register and does not compete in first or second-round RIF competition.

- An employee who has received a final written decision of demotion because of unacceptable performance, or because of adverse action, is listed on the retention register for the position to which the employee will be demoted.

Elimination of Unacceptable Rating. If, because of performance improvement during the notice period of a proposed removal or demotion action because of unacceptable (or equivalent) performance, an employee is not demoted or separated and the employee's performance continues to be acceptable for 1 year after the notice, any record of the unacceptable performance is removed from agency records. In this situation, no record of the Level 1 (Unacceptable) rating would exist.

There is no authority for an agency to remove an employee's Level 1 rating except under authority of section 293.404(a)(3) of title 5, Code of Federal Regulations, covered above, or under other appropriate authority (for example, an award resulting from a grievance, equal employment opportunity complaint, or similar complaint).

Section M: *Personnel Records in RIF*

Responsibility of Agency to Maintain Personnel Records. The agency is responsible for maintaining the personnel records that are used to determine the retention standing of competing employees.

Employee Access to Retention Records. The agency must allow its retention registers and related records to be inspected by:

1. An employee of the agency who has received a specific RIF notice, or the employee's representative; and

2. A representative of OPM.

An employee who has not received a specific RIF notice has no right to review the agency's retention registers and related records.

Review of Retention Register With Employee's Name. An employee who has received a specific RIF notice has the right to review the complete retention register used by the

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agency to determine the employee's retention standing in a RIF action that the agency has taken, or will take, including:

1. The names of all other employees listed on that register;

2. The employees' respective individual RIF service computation dates;

3. The employees' respective individual RIF service computation dates adjusted for additional service credit; and

4. The complete retention register so that the employee may consider how the agency constructed the competitive level, and how the agency determined the relative retention standing of the competing employees.

The personal representative of an employee who has received a specific RIF notice has the same right to access these retention records.

Review of Other Retention Registers. An employee who has received a specific RIF notice has the right to review the complete retention registers for other positions that could affect:

1. The composition of the employee's own competitive level; and/or

2. The determination of the employee's assignment rights to positions on other competitive levels.

The employee's personal representative has the same right to access these retention records.

Retention of Records for Minimum of 1 Year. The agency must preserve all registers and records relating to a RIF for at least 1 year after the date it issues a specific RIF notice. Also, the agency should always retain any retention records that are, or may be, subject to review in an appeal or grievance without regard to the general 1-year limit for preserving records related to the RIF.

Section N: *Release From the Competitive Level*

Date Used to Determine Retention Standing. The agency determines each employee's retention standing as of the effective date of the RIF. The effective date of the RIF is the date that the employee is released from the competitive level, not the date the employee receives a RIF notice.

Release of Noncompeting Employees. Before a competing employee (i.e., an employee in tenure group I, II, or III) may be released from a competitive level, the agency must first release from that competitive level each employee who:

1. Holds a temporary appointment to a position in that competitive level;

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2. Holds a term promotion or temporary promotion to a position in that competitive level (these employees are returned to their permanent positions of record, or equivalent);

3. Has received a written decision of removal or demotion because of unacceptable (or equivalent) performance, or because of adverse action, from a position in that competitive level.

An employee who has received a written decision of demotion because of unacceptable performance or adverse action competes for retention from the position to which the employee will be, or has been, demoted.

Order of Releasing Employees From the Competitive Level. The agency releases competing employees from the RIF retention register in the inverse order of the employees' relative retention standing:

- The first employee released is the employee who has the lowest retention standing on the retention register; and

- The employee with the next lowest standing on the retention register is the second employee released, and the same order is followed until the required number of employees are released from the retention register.

An employee in an abolished position has a right to a position held by a lower-standing employee in the same competitive level rather than being released from the level; if the employee in the abolished position has the lowest standing, the employee is the one released from the competitive level. At its option, an agency may provide for intervening displacement within the competitive level before final release of the employee with the lowest retention standing from the competitive level.

The displacement of a lower-standing employee by a higher-standing employee in the same competitive level is not a RIF action for the higher-standing employee, who is reassigned to the position rather than released from the competitive level. A higher-standing employee who displaces a lower-standing employee in the same competitive level retains the same status and tenure upon encumbering the position of the lower-standing employee. For example, a subgroup I-B employee who displaces a subgroup III-B term employee retains the same I-B status and tenure while encumbering the term position.

Under limited conditions, an agency may release a competing employee from a competitive level, and still retain a lower-standing competing employee in the same level, only if the agency uses a mandatory, discretionary, or liquidation exception, which is also covered in this section.

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Breaking Ties in Retention Standing. When employees in the same retention subgroup have identical service dates and are tied for release, the agency has the right to determine the order in which the tied employees are released.
Mandatory Exception to the Regular Order of Release Based upon Service in a Uniformed Service. The agency must use a mandatory exception to the regular order of releasing employees in order to retain a tenure group I or group II employee who has restoration rights after returning from active duty in a uniformed service.

A mandatory exception applies to employees with restoration rights for either 6 months, or 1 year, as appropriate. Before release from the competitive level by RIF, each employee with a restoration right based on active duty in a uniformed service must be retained over other employees in the tenure group and subgroup until the end of the applicable 6 months or 1-year mandatory retention period.

If an employee with this restoration right is reached for release from a competitive level during the applicable mandatory retention period (for example, 6 months or 1 year following restoration from the Armed Forces), the agency is obligated to find another position for the employee under the provisions of the restoration regulations, if possible, rather than separate the employee by RIF.

The agency must record on the retention register the reason(s) for using a mandatory exception to the regular order of release. Each employee listed on the retention register has the right to review the reason(s) for the use of the mandatory exception to the regular order of release.

Mandatory Exception to the Regular Order of Release and the Use of Annual Leave to Reach Title to an Immediate Annuity and/or to Continue Health Benefits. An agency must use a mandatory exception to the regular order of releasing employees from the competitive level in order to retain an employee who is being involuntarily separated from the agency by RIF if the employee elects to use annual leave and remain on the agency's rolls after the effective date that the employee would otherwise have been separated, for the purpose of establishing initial eligibility for:

1. Immediate Civil Service Retirement System (CSRS) or Federal Employees' Retirement System (FERS) retirement (including optional, voluntary early retirement (VERA), discontinued service retirement (DSR), and FERS MRA+10)); and/or

2. Continuation of Federal Employees Health Benefits (FEHB) coverage into immediate retirement.

An employee retained under this provision must be covered by the leave provisions of chapter 63 of title 5, United States Code. An agency may not retain an employee under this provision past the date that the employee first becomes eligible for immediate retirement, and/or for continuation of health benefits into retirement, except that an

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employee may be retained long enough to satisfy both retirement and health benefits requirements.

Except as permitted as a permissive temporary exception under authority of section 351.608(d) of title 5, Code of Federal Regulations, for an employee on approved sick leave, an agency may not approve the employee's use of any other type of leave after the employee has been retained under a mandatory exception for the purpose of gaining initial eligibility for immediate retirement and/or continuation of health benefits into retirement. Section 630.212 of title 5, Code of Federal Regulations, defines annual leave that is available for purposes of a mandatory exception under this paragraph.

The agency must record on the retention register the reason for using a mandatory exception to the regular order of release. Each employee listed on the retention register has the right to review the reason for the use of the mandatory exception to the regular order of release.

An agency may use a permissive temporary exception to the regular order of releasing employees in order to retain an employee who is covered by a Federal leave system under authority other than chapter 63 of title 5, United States Code, for the purpose of establishing initial eligibility for an immediate retirement, and/or continuation of health benefits coverage into immediate retirement. The agency determines the retention standing of an employee who is retained under a mandatory exception as of the date the employee would have been released from the competitive level had the agency not used the exception.

Use of Annual Leave in Relocation Situations to Obtain Retirement Benefits and/or to Continue Health Benefits Coverage. An employee who is being involuntarily separated by adverse action because of the employee's decision to decline relocation to a different local commuting area (including transfer of function, reassignment, realignment, change of duty station, etc.) may elect to use annual leave and remain on the agency's rolls after the date the employee otherwise would have been separated by adverse action, in order to establish initial eligibility for:

1. Immediate CSRS or FERS retirement (including optional, VERA, DSR, and FERS MRA+10); and/or

2. Continuation of FEHB coverage into immediate retirement.

An employee retained under this provision must be covered by chapter 63 of title 5, United States Code. Under this provision, an agency may not retain an employee past the date the employee first becomes eligible for immediate retirement, or past the date the employee satisfies the requirement for continuing health benefits coverage into retirement, except if necessary to enable the employee to meet both the retirement and health benefits requirements. Section 630.212 of title 5, Code of Federal Regulations, defines "annual leave" for purposes of this paragraph.

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Permissive Continuing Exception to the Regular Order of Release. An agency may use a permissive continuing exception to the regular order of releasing employees in order to retain an employee for more than 90 days in a position that no higher-standing employee can take over:

1. Within 90 days; and

2. Without undue interruption to the agency.

The agency determines the retention standing of an employee who is retained in the competitive level under a permissive continuing exception as of the date the employee would have been released from the competitive level had the agency not used the exception.

When an agency retains an employee under a permissive continuing exception, the agency must give each higher-standing employee reached for release from the same retention register:

1. A written notice of the exception; and

2. The reason for the exception.

Permissive Temporary Exception for Undue Interruption. An agency may use a permissive temporary exception for not more than 90 days to the regular order of releasing employees in order to retain an employee in a position that no higher-standing employee can take over within 90 days without undue interruption to the agency.

Permissive Temporary Exception to Satisfy Government Obligation. An agency may use a permissive temporary exception, without regard to time limit, to the regular order of releasing employees in order to retain an employee in order to satisfy a Government obligation to the retained employee. For example, an agency may use a permissive temporary exception in order to provide an employee with a 60-day minimum RIF notice when the agency was otherwise unable to give a timely notice to the employee.

For another example, an agency may use a permissive temporary exception in order to provide an employee with a new 60-day minimum RIF notice when the agency gives the employee a new notice because the employee is being reached for a more severe RIF action.

Permissive Temporary Exception for Sick Leave. An agency may use a permissive temporary exception to the regular order of releasing employees in order to retain an employee who is on approved sick leave on the effective date of the RIF. The agency may retain the employee under this provision for a period not to exceed the date the employee's sick leave is exhausted. Use of sick leave for this purpose must be in accordance with the requirements in part 630, subpart D, of title 5, Code of Federal Regulations, or other applicable leave system for Federal employees.

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Permissive Temporary Exception and the Use of Annual Leave to Obtain Retirement Benefits and/or to Continue Health Benefits. An agency may use a permissive temporary exception to the regular order of releasing employees in order to retain an employee who:

1. Is being involuntarily separated by RIF under the regulations; and

2. Is covered by a Federal leave system under authority other than chapter 63 of title 5, United States Code; and during the period represented by the amount of the employee's accrued annual leave:

    - Will attain first eligibility for an immediate CSRS or FERS annuity or other retirement benefit, and/or

    - Will establish FEHB or other eligibility to carry health benefits coverage into immediate retirement.

This option allows an agency that is covered by the RIF regulations, but is not covered by a Federal leave system under chapter 63 of title 5, United States Code, to retain a released employee past the planned separation date for purposes of reaching first eligibility for an immediate annuity, and/or establishing eligibility to continue health benefits into retirement. An agency may not approve an employee's use of any other type of leave after the agency retains the employee as a permissive temporary exception under this provision.

This permissive temporary exception may not extend past the date the employee first becomes eligible for immediate retirement or for continuation of health benefits into retirement, except that an employee may be retained long enough to satisfy both retirement and health benefits requirements.

Accrued annual leave available under this permissive temporary exception includes all accumulated, accrued, and restored annual leave, as applicable, in addition to annual leave earned and available to the employee after the effective date of the RIF. When approving a permissive temporary exception under this provision, an agency may not advance annual leave or consider any annual leave that might be credited to an employee's account after the effective date of the RIF, other than annual leave earned while in an annual leave status.

Discretionary Temporary Exception and Other Exceptions. An agency may use a permissive temporary exception to the regular order of releasing employees in order to extend an employee's separation date beyond the effective date of the RIF when the temporary retention of a lower-standing employee does not adversely affect the right of any higher-standing employee who is released ahead of the lower-standing employee.

The agency may establish a maximum number of days, up to 90 days, for which a permissive temporary exception may be approved under this provision. There is no

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authority under this provision for an agency to retain an employee for the purpose of gaining eligibility for immediate CSRS or FERS retirement, and/or for continuation of FEHB coverage.

The agency determines the retention standing of an employee who is retained in the competitive level under a permissive temporary exception as of the date the employee would have been released from the competitive level had the agency not used the exception. When an agency retains an employee under a permissive temporary exception for more than 30 days after the date a higher-standing employee is released from the same retention register, the agency must:

1. Give written notice, to each higher-standing employee in the competitive level who is reached for release, of the reason for the exception and the date the lower-standing employee's retention will end; and

2. List opposite the retained employee's name on the retention register the reasons for the exception, and the date the employee's retention will end.

Exceptions to the Regular Order of Release with the Liquidation Exception. When an agency will abolish all positions in a competitive area within 180 days, it must release the employees in subgroup order, but may release them regardless of their retention standing within a subgroup.
An agency may not use the liquidation exception to release an employee who is under a mandatory exception covered by a "mandatory exception to the regular order of release based upon service in a uniformed service," which is explained above in this section. When an agency uses the liquidation provision, it must:

1. Notify affected employees; and

2. Give the date the liquidation will be completed.

Section O: *Actions Following Release From the Competitive Level*

Offer of Another Position. An employee reached for release from a competitive level may have a right under the RIF to a position in a different competitive level.
Separation or Furlough. The agency may use RIF procedures to separate or furlough the released employee only if the employee:

1. Has no assignment right to another position; or

2. Declines an offer of assignment to another position that would have satisfied the employee's assignment right.

Section P: *Determining Employees' Assignment Rights*

Bump and Retreat Rights. The RIF regulations provide released employees with three types of potential assignment rights to positions in different competitive levels through assignment by:

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1. "Bumping," which is the assignment of an employee to a position in a different competitive level that is held by another employee in a lower retention tenure group, or in a lower subgroup within the same tenure group; see Section Q for information on bump rights;

2. "Retreating," which is the assignment of an employee to a position in a different competitive level that is held by another employee with less service in the same retention subgroup; see Section Q for information on retreat rights; and

3. Offers of vacant positions, which are based on the same retention standing procedures that apply to an employee's bump and retreat rights; see Section R for information on assignment to vacancies.

Employees With Assignment Rights. The RIF regulations provide mandatory assignment rights to an employee who:

1. Holds a position under a competitive service appointment;

2. Is in retention tenure group I or group II; and

3. Has a current performance rating of at least Minimally Successful or equivalent.

Employees With No Assignment Rights. The RIF regulations do not provide assignment rights to an employee who:

- Is in retention tenure group III, although the agency at its option can administratively offer limited assignment rights ("bumping" rights) to its group III employees;

- Holds a position under an excepted service appointment, although the agency at its option can administratively offer assignment rights to its excepted employees to positions under the same appointing authority; or

- Has a current annual performance rating of Unacceptable or equivalent.

See Section Y for information on administrative assignment rights.

Available Position. An available position that satisfies an employee's RIF assignment right must:

1. Be in the competitive service;

2. Be in the same competitive area as the position the individual currently occupies;

3. Last at least 3 months;

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4. Be a position for which the released employee qualifies, unless the agency, at its discretion, chooses to waive qualifications in offering the employee assignment to a vacant position;

5. Have a representative rate that is equal to or less than that of the position held by the released employee;

6. Be occupied by a lower-standing employee in a different competitive level who can be displaced by the released employee by bumping rights, or by retreating rights; and

7. Have the same type of work schedule (full-time, part-time, intermittent, seasonal, or on-call) as the position from which the higher-standing employee is released.

Positions Occupied by Temporary Employees. Released employees do not have assignment rights to positions occupied by temporary employees (tenure group "0") in another competitive level.

Limitations in Offering Employees Assignment to Other Positions. An agency may not:

1. Assign an employee to a position with a representative rate higher than that of the employee's current position;

2. Assign an other-than-full-time employee to a position held by a full-time employee, or satisfy an other-than-full-time employee's right of assignment by assigning the employee to a vacant full-time position;

3. Assign a full-time employee to a position held by an other-than-full-time employee, or satisfy the full-time employee's right of assignment by assigning the employee to a vacant other-than-full-time position;

4. Assign an employee to a temporary position (i.e., a position under an appointment not to exceed 1 year), except as an offer of assignment in lieu of separation by RIF when the employee has no other assignment right;

5. Assign an employee to a position held by an employee with a different type of work schedule (full-time, part-time, intermittent, seasonal, or on-call), or satisfy the employee's right of assignment by assigning the employee to a vacant position with a different type of work schedule;

6. Assign an employee in the competitive service to a position in the excepted service; or

7. Assign an employee in the excepted service to a position in the competitive service.

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More Than One Available Position for Assignment. When an employee has a potential right of assignment to two or more positions with the same representative rate, the agency may satisfy the employee's right of assignment by offering any one of the positions. An employee has no right to choose among positions with the same representative rate.

One Offer of Assignment. An employee is entitled to only one offer of assignment, and, except as provided in the next paragraph, is not entitled to any further offers if the employee:

1. Accepts an offer;

2. Rejects an offer; or

3. Fails to reply to an offer within the timeframe established by specific agency policy.

Requirement to Make Additional Offer of Assignment. Even though an employee is entitled to only one offer of assignment, the agency must make a better offer of assignment (i.e., to a position with a higher representative rate) to a released employee if a position becomes available before, or on, the effective date of the RIF. The released employee is entitled to any better offers of assignment regardless of whether the employee previously accepted or declined an offer of assignment. For example, a better offer of assignment may become available when another employee rejects an offer or vacates a position by resignation, retirement, etc.

Alternative Offer. After determining an employee's assignment right, the agency, at its discretion, may also make an alternative offer of a vacant position with the same or a lower representative rate than that of the position to which the employee was entitled. The alternative offer is an offer of a vacant position in lieu of RIF separation or other RIF action, not an offer of assignment under the RIF regulations. See Section S for information on offering vacant positions to employees in lieu of separation RIF actions. The agency may not make an alternative offer of a vacant position if the employee's acceptance of the offer would result in a more severe RIF action for another competing employee. In making an alternative offer of a vacant position with a lower representative rate, the agency must ensure that the employee has also received notice of his or her entitlement to assignment under the RIF regulations.

Employees' Status and Tenure After Accepting an Offer of Assignment. An employee retains the same status and tenure in the new position after:

1. Displacing a lower-standing employee in the same competitive level in first-round RIF competition; or

2. Accepting an offer of assignment to a position in a different competitive level in second-round RIF competition.

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Promotion Potential of a Position Offered for Assignment. The promotion potential of a position is not a consideration in determining an employee's assignment rights to an available position, whether the position is encumbered or vacant. An agency may assign an employee under the RIF regulations to positions with higher promotion potential; after assignment, the agency noncompetitively promotes the employee to the full performance level of that position in the same manner as if the agency had selected the employee through merit competition.

Supervisory Positions. The RIF regulations do not prohibit an otherwise qualified employee who is presently a nonsupervisor from having assignment rights to a supervisory position. For example, a qualified nonsupervisor could potentially have bump or retreat rights to a supervisory position that the released employee formerly held. Displacing Employee Must Actually Perform Position. A released employee who has bumping or retreating rights to a position held by a lower-standing employee must actually perform the duties of that position after entering the position. The agency may not displace a lower-standing employee merely as a paper exercise.

Mobility Agreement and Travel Requirement Not Considered in Determining Assignment Rights. There is no authority under the RIF regulations for an agency to consider a position's mobility agreement or travel requirement in:

1. Determining a released employee's assignment rights, or

2. Making the employee a RIF offer of assignment to a vacant position.

Section Q: *Bump and Retreat for Assignment*

Bump Rights. A released employee has a right of assignment to a position in a different competitive level when that position is:

1. Held by an employee in a lower tenure group, or in a lower tenure subgroup within the same tenure group; and

2. At the same grade, or down to three grades or grade intervals (or equivalent) below the position of the released employee. See Section T for an explanation of the difference between grades and grade intervals.

A released employee has bumping rights to a position based on the employee's personal qualifications in relation to the position held by the lower-standing employee. A released employee may have bumping rights to a position regardless of whether or not the employee previously held the position of the lower-standing employee.

An agency is not required to consider employees' respective retention service dates in determining bumping rights. At its option the agency may implement a policy to consider employees' respective RIF service dates in offering bump offers of assignment (e.g., the employee with the most service receives an offer of assignment before an employee with less service).

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Section T covers grades and grade intervals used in determining employees' RIF rights. See Section U for information on how the agency uses representative rate in determining employees' assignment rights. See Section V for information on employees' qualifications for assignment to another position.
Retreat Right Basics. A released employee has a right of assignment to a position in a different competitive level when that position is:

1. Held by another employee in the same retention tenure group and subgroup who has less total creditable service for retention (including additional service credit for performance);

2. The same grade, or down to three grades or three grade intervals (or equivalent) below the position from which the employee is released; and

3. The same position as, or a position that is essentially identical to, a position previously held by the released employee on a permanent basis in any Federal agency.

In determining retreat rights the agency must also consider that:

1. A released employee with a current annual performance rating of Minimally Successful (e.g., Level 2) or equivalent has the right to retreat only to a position that is held by another employee who has a current performance rating of Minimally Successful or equivalent, or a lower performance rating.

2. A released employee has no retreat rights based solely upon the employee's personal qualifications to perform the position held by an employee with less service in the same subgroup.

3. The grade progression of the released employee's official position of record is used to determine the applicable grades (or grade intervals or equivalent) of the employee's retreat right (i.e., the agency does not consider the grade progression of the position to which the employee has a retreat right).

Retreat Rights— Essentially Identical Position. In determining employees' retreat rights, a position is considered essentially identical to a position that the released employee previously held if:

1. The released employee held the previous position as a competing employee in a Federal agency (i.e., when held by the released employee in an executive, legislative, or judicial branch agency, the position would have been placed in tenure group I, II, or III, or equivalent, per the definition of a competing employee); and

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2. The agency determines on the basis of available information that the released employee previously held an essentially identical position based on the competitive level criteria found in Section G, but not necessarily in regard to the two positions' respective:

    - Grades;
    - Classification series;
    - Type of work schedule; or
    - Type of service (e.g., competitive or excepted)

A released employee may have a right to retreat to an essentially identical position in the present competitive area that is filled at a different grade, classification series, work schedule, appointing authority, etc., than the position the released employee actually encumbered, provided that the two positions meet the standard described above in this paragraph.

Retreat Rights—Expanded Grade Limits for Disabled Veterans in Subgroup AD. A released employee has the right to retreat to a position at the same grade, or down to five grades or five grade intervals (or equivalent) below the position from which the employee is released, if the employee is:

1. Eligible for veterans' preference under the RIF regulations; and
2. Receiving a compensable service-connected disability of 30 percent or more (the employee is in retention subgroup AD).

Except for the change in grade limits, the other conditions regarding employees' retreat rights described elsewhere in this section also apply.

Section R: *Vacancies for Assignment*

Management's Decision to Fill Vacant Positions During a RIF. An agency is not required to fill vacant positions in a RIF, but the agency may decide to fill all, some, or no vacant positions.

Making RIF Offers of Vacant Positions to Released Employees. An agency may offer a released retention group I or II employee (but not a group III employee) assignment to a vacant position in order to satisfy the employee's right to assignment, or offer the employee assignment in lieu of separation by RIF. An agency may satisfy a released employee's RIF assignment right by offering the employee assignment to a vacant position that:

1. Is in the same competitive area;

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2. Has a representative rate at least equal to a position that the employee is entitled to on the basis of bump or retreat rights; and

3. Is within the same grade and grade interval limits that apply to offers of assignment based on bump and retreat rights.

An agency may also offer an employee assignment to a vacant position in lieu of separation by RIF, subject to the same conditions covered above.

See Section Q for information on the three-grade and grade-interval limits for bump rights, and the three and five-grade and grade-interval limits for retreat rights. The provisions of Section P also apply to RIF offers of assignment to vacant positions (for example, the employee has no right to choose among offers of assignment; the employee is entitled to only one offer of assignment).

Consideration of Retention Standing in Offering Vacant Positions. When an agency chooses to fill a vacant position with an employee released from a competitive level, the agency must make the offer consistent with the RIF regulations. A vacant position that is filled effective at the beginning of the day after the effective date of the RIF, or immediately after the effective date, is an available position for purposes of determining employees' assignment rights. See Section P for information on what is an available position for purposes of RIF assignment rights.

When an agency decides to use a vacant position as a RIF offer of assignment to a released employee, the agency determines whether it can offer the position to the released employee, provided that another released employee who has higher retention standing would not have a bump or retreat right to the vacant position. The agency must consider the relative subgroup standing of competing employees before offering a released employee assignment to a vacant position (e.g., the agency offers a released employee in subgroup I-A assignment to a vacant position before offering assignment to a released employee in subgroup I-B). However, when offering a released employee assignment to a vacant position, the agency is not required to consider the relative service computation dates of released employees in the same retention subgroup, unless one employee:

1. Formerly held a position that is essentially identical to the vacant position;

2. Has more service credit than a second employee in the same subgroup; and

3. Would have a right to the position on the basis of retreat rights if the agency filled the vacancy with another employee who has less retention service credit.

Consideration of Undue Interruption in Determining Qualifications for Assignment to Vacant Positions. An employee released from a competitive level by RIF has an assignment right to another position (through bump, retreat, or an offer of a vacant

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position) held by an employee with lower retention standing only if the released employee is qualified for assignment.

Except as covered in Section V, concerning a waiver of qualifications in offering assignment to a vacant position, a released employee is qualified for assignment to an available position if the employee:

1. Is otherwise qualified for the position; and

2. Has the capacity to perform the duties of the position without undue interruption to the agency.

See Chapter VI, Glossary, regarding "undue interruption." As appropriate, the agency may apply the usual 90-day undue interruption definition in offering assignment to a vacancy when the vacant position is in a high-priority program.

Waiver of Qualification Requirements in Offering RIF Assignment to Vacant Positions. At its option, an agency may waive qualification standards and requirements in offering a released employee assignment to a vacant position. However, in doing so, an agency may not waive any minimum education requirements.

In order to waive qualifications for assignment to a vacant position, the agency must determine that the employee has the capacity, adaptability, and special skills needed to satisfactorily perform the duties and responsibilities of the position. See Section V for information on how the agency:

- Considers a released employee's qualifications for assignment; and

- May waive qualifications when offering an employee assignment to a vacant position.

Offering Vacant Positions as Offers to Place Employees in Lieu of Separation or in Lieu of Other RIF Actions. Section A explains that the agency has the basic right to take other personnel actions, including the filling of vacant positions using authority other than the retention regulations, before, during, and after a RIF, unless the agency has limited this right as a matter of policy. The agency's rights include making a voluntary offer of a vacant position to a released employee as:

1. An offer in lieu of separation by RIF;

2. An offer in lieu of downgrading by RIF; or

3. An alternative offer in lieu of an offer of assignment by RIF.

Although the employee was reached for a RIF, these voluntary offers are not offers of assignment under the retention regulations. The placement action is processed as a

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reassignment, position change, change to lower grade, or change in work schedule and should be documented to show that the employee accepted the position as a voluntary offer in lieu of RIF. As an offer made apart from the RIF regulations, the agency must provide for competition through its internal staffing plan if the offered position has more promotion potential than the employee's present position.

Before making an offer in lieu of RIF, the agency should consider that a vacant position that is filled on or after the effective date of the RIF, or immediately after the effective date, is a potential available position for purposes of determining the assignment rights of other competing employees in the competitive area. The agency may not make an offer of a vacancy in lieu of RIF if the position, when filled, would be an available offer for an employee with higher retention standing.

A voluntary offer of a vacancy in lieu of RIF to a released employee is not subject to grade-level limits that apply to an offer of assignment under the RIF regulations. An agency may also make a voluntary offer of a vacancy with a different work schedule than the position of the released employee (e.g., the agency could offer a vacant other-than-full-time position to a full-time employee or offer a vacant full-time position to an other-than-full-time employee).

Acceptance of a voluntary offer of a lower-graded position in lieu of a RIF action is, absent contrary evidence, presumed to be a voluntary action. An employee who accepts a voluntary offer of a lower-graded position in lieu of RIF but believes the offer was involuntary or was based upon erroneous information may have the right to appeal or grieve the offer as a RIF action.

Voluntary offers of vacant positions that are in a different competitive area within the same local commuting area must be consistent with the Reemployment Priority List (RPL), and any other applicable transition programs. Voluntary offers of vacant positions that are in both a different competitive area and a different local commuting area are not subject to the RPL, but may be covered by other applicable agency-specific transition programs.

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Modification of Qualification Requirements in Offering Positions in Lieu of Separation or Other RIF Actions. At its option, an agency may modify OPM's qualification standards and requirements in offering a vacant position to a released employee in lieu of separation or other RIF action. The offer may be a reassignment or a voluntary change to lower grade.

Section S: *Vacant Temporary Positions as Placement Offers*

Competitive Service Temporary Positions Are Not Available Positions. A competitive service employee released from a competitive level by RIF does not have assignment rights to a position in a different competitive level that is held by a temporary employee. A competitive service temporary employee (tenure group "0") is a noncompeting employee in RIF competition. Section N explains that, under the RIF regulations, an agency must separate all temporary employees from a competitive level before the agency releases a competing employee from that level by RIF.

Using a Temporary Position as a RIF Offer of Assignment. At its discretion, an agency may use a vacant competitive service temporary position that will last at least 3 months as a RIF offer of assignment only if a competing employee has no assignment right to another position, and will otherwise be separated by RIF. The agency makes the offer of the vacant temporary position as a RIF offer of assignment on the same basis as other vacant positions offered in RIF, including the three-grade or grade-interval limits.

When an employee accepts a temporary position as a RIF offer of assignment, the employee retains the same status and tenure (for example, a competitive service employee in subgroup I-B retains the I-B status after entering on duty in the temporary position). If the temporary appointment expires or the agency abolishes the position, the employee is again entitled to compete under the RIF regulations based on the retained status and tenure if the employee is faced with separation or downgrading.

Using a Temporary Position for Reemployment Following RIF Separation. At its discretion, an agency may offer reemployment in a vacant temporary position if a competing employee has no right of assignment. When an employee accepts a temporary position as an offer of reemployment following separation by RIF, the action is processed as a separation followed by a new temporary appointment.

The agency must follow tenure group and subgroup standing in offering an employee appointment to a temporary position in the same local commuting area as the RIF. The requirement to follow tenure group and subgroup standing ensures compliance with the agency's RPL. If the position is located in a different local commuting area, the RIF regulations do not require the agency to follow tenure group and subgroup standing.

The agency may reemploy the separated employee in the temporary position with no break in service, or following a break in service. In the temporary position, the employee's status and tenure are changed to that which is appropriate for the temporary appointment (tenure group "0"), reflecting that the employee is not covered by the RIF

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regulations. If the temporary appointment expires or the agency abolishes the temporary position, the agency may separate the employee without regard to the RIF regulations.

At the time of separation, the temporary employee is not eligible for intra-agency selection priority in the agency through CTAP or through the RPL. The employee is also not eligible for interagency selection priority in other agencies through the Interagency Career Transition Assistance Plan (ICTAP).

Conversion to a Temporary Position in Lieu of RIF Separation. The agency may offer an employee who has received a notice of separation by RIF the opportunity to convert to a temporary (tenure group "0") position in lieu of involuntary separation. In making an appointment to the temporary position, the agency must follow tenure group and subgroup standing in order to comply with the agency's RPL.

Upon separation, the temporary employee is not eligible for selection priority in the agency through CTAP or through the RPL. The employee is also not eligible for interagency selection priority in other agencies through the ICTAP.

Excepted Service Temporary Positions. Excepted temporary positions in tenure group III may be an available position if the agency administratively decides to provide its excepted service employees with RIF assignment rights to other positions under the same appointing authority. See Section Y for information on administrative assignment rights for tenure group III employees and for excepted service employees.

Section T: *Consideration of Grades in Assignment*

Range of Grade Limits for Assignment. Section Q covers the range of grade limits that apply to employees' bump and retreat rights:

- Employees have bump and retreat rights to positions at the same grade, or down to three grades or grade intervals (or equivalent) below the position from which they are released; and

- Employees who are eligible for veterans' preference in RIF and are receiving a service-connected compensable disability of 30 percent or more have retreat rights to positions at the same grade, or down to five grades or grade intervals (or equivalent) below the position from which they are released.

The same grade limits apply to a RIF offer of assignment to a vacant position.

Position of Record Determines Grade and Grade Interval Range. The agency uses the grade progression of the released employee's official position of record to determine the grade limits of the employee's assignment rights.

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Distinction Between Grade and Grade Interval . The difference between successive grades in a one-grade occupation is a "grade difference," while the difference in a multi-grade occupation is a "grade interval difference." For example, a position with a one-grade progression consists of consecutive grade levels (GS-5-6-7-8), while a position with a two-grade, or other multi-grade progression consists of nonconsecutive grade levels (GS-5-7-9-11). After the agency determines the range, an employee has assignment rights to positions at all grades within the grade interval limits, including positions in intervening grades within the grade interval progression in both the employee's present pay system, and positions in other pay systems.

Determining the Grade Interval Progression for General Schedule Positions. For positions covered by the General Schedule, the agency must determine whether a one-grade, two-grade, or mixed-grade interval progression is applicable to the position of the released employee. For General Schedule positions, in general, a two-grade interval progression applies to the occupations listed in the "Introduction to the Position Classification Standards," available at http://www.opm.gov/.

The use of grade intervals extends only to the entry level of the position with a two-grade progression (for example, GS-9-7-5 when the entry level of the two-grade progression is GS-5). If applicable, the agency provides the employee with assignment rights of three grades or grade intervals by using a one-grade basis to determine grade limits below the entry level of the position with a two-grade progression (GS-9-7-5-4 when the entry level of the two-grade progression is GS-5).

An employee who is released from a two-grade interval position has assignment rights to positions at all intervening grade levels within these grade limits, including positions that are not part of the two-grade progression. For example, a released employee has an assignment right to an intervening GS-8 position when the position from which she was released had a two-grade progression (GS-9-7-5-4), based upon an entry-level GS-5 position.

Employees released from one-grade interval positions have assignment rights to positions up to three grade levels below the employee's present position (for example, GS-7-6-5-4 when the entry level of the one-grade progression is GS-4). For mixed-interval jobs (for example, a GS-9 position that progresses GS-5-6-7-9), the assignment right grade limits are based on progression to the present position. If the employee holds a position that is less than three grades above the lowest grade in the classification system, the employee still has potential assignment rights to positions in other pay systems with a representative rate lower than the position held by the released employee.

Agency Responsibility to Determine the Grade Interval Line of Progression for Positions Not Covered by the General Schedule. For positions not covered by the General Schedule, the agency has the responsibility to establish the normal line of progression for each occupational series and grade level, and to then apply employees' assignment limits based on this determination.

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Scope of Positions Considered by the Agency in Determining the Grade Interval Progression for Positions Not Covered by the General Schedule. At its discretion, the agency may establish the normal line of progression for positions not covered by the General Schedule on the basis of:

1. Competitive area;

2. A larger subdivision of the agency including multiple competitive areas; or

3. An agency-wide or department-wide basis.

Consideration of Movement Between Positions in Determining the Grade Interval Progression for Positions Not Covered by the General Schedule. Each single or multi-grade movement within the normal line of progression is considered a grade interval for purposes of applying the grade range limitations on assignment rights. The normal line of progression may include grade levels in different pay systems.

Once the agency establishes the normal line of progression for a particular series and grade level, the same grade-level limits for bump and retreat are applied to all employees in that series and grade level without regard to an employee's actual progression to that grade level. The agency determines grade limits below the starting point of the normal line of progression on a one-grade basis (for example, WG-10-8-5-4 when the entry level of the progression is WG-5).

Determining the Grade Interval Progression for Positions Not Covered by the General Schedule When No Progression Exists. In some situations, the agency may determine that there is no line of progression to a particular series and grade level (e.g., when an agency normally fills a particular series and grade at the journeyman level from outside the agency). In this situation, grade interval progression is not applicable and the agency provides the employee with assignment rights to positions up to three grades lower, as determined on a one-grade basis (e.g., a WG-10 employee in a series and grade that has no line of progression would have assignment rights to positions based upon WG-10-9-8-7).

Determining the Grade Interval Progression for Positions Not Covered by the General Schedule When No Grade Structure Exists. In a situation where no grade structure exists (the agency uses negotiated pay rates), the agency determines whether a line of progression exists for each occupation/pay rate and provides assignment rights to positions up to three grade intervals lower on that basis.

Determining the Grade Interval Range for Pay Band Positions. If a competitive area includes positions under one or more pay bands, the agency determines assignment rights to a position in an equivalent pay band or:

1. One pay band lower than the pay band from which the employee was released; or

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2. Up to two pay bands lower than the pay band from which the employee was released if the employee is a preference eligible with a service-connected disability of 30 percent or more.

Determining the Grade Interval Range Involving Pay Band and Other Positions. If a competitive area includes positions under one or more pay bands and other positions not covered by a pay band (e.g., GS or FWS positions), the agency provides assignment rights by:

1. Determining the representative rate of positions not covered by a pay band;

2. Determining the representative rate of each pay band or competitive level within the pay band; and
3. Determining applicable assignment rights after considering:

    - The grade intervals for positions not covered by a pay band; and

    - The grade intervals for pay band positions.

For example, an agency has a pay band that includes positions traditionally classified from GS-11 through GS-13. The employees' official positions are identical and are otherwise interchangeable for purposes of retention registers described in Section G. In this example, the pay band comprises one retention register with one representative rate even though employees' actual salaries may vary.

The agency uses the representative rate of the pay band retention register in determining whether pay band employees have potential assignment rights to positions not included in the pay band. If the agency sets the representative rate of the competitive level equivalent to GS-12/4, employees released from the pay band would have potential assignment rights to GS and FWS positions with representative rates in the range from GS-12 through GS-7.

The agency would also use the representative rate of the pay band to determine whether employees in positions not included in a pay band have potential assignment rights to positions in this pay band. Released GS and FWS employees holding positions with representative rates from GS-12/4 or higher also would have potential assignment rights to positions in this pay band.

Example: An agency has a pay band that includes positions traditionally classified from GS-4 through GS-7. The pay band includes three different types of positions (i.e., separate official positions of record that are not interchangeable). Each of the three types of positions also has a different salary from the other positions in the pay band, equivalent to GS-5, GS-6, and GS-7.

The agency could establish one representative rate for all three types of positions in the pay band, or the agency could establish different representative rates for each of the three

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different competitive levels in the pay band. If the agency found that the representative rate for all positions in the pay band was GS-6/4, then employees in the pay band released by RIF would have assignment rights to GS and FWS positions in the competitive area having a representative rate of GS-6/4 or less. GS and FWS employees released from their respective competitive levels by RIF would have assignment rights to pay band positions based upon the same GS-6/4 representative rate designated for the pay band.

If the agency found that the representative rates for the three competitive levels in the pay band were, respectively, GS-7/4, GS-6/4, and GS-5/4, then employees in the pay band released by RIF would have assignment rights to GS and FWS positions in the competitive area based upon the representative rate designated for their competitive level. GS and FWS employees released from their respective competitive levels by RIF would have potential assignment rights to pay band positions in the three competitive levels based upon the representative rate designated for that competitive level.

Section U: *Consideration of Representative Rates in Assignment*

Comparing Positions. Agencies may need to compare positions in different pay schedules to determine an employee's eligibility to bump or retreat to a position in a different pay schedule. When two or more positions are in different pay schedules, the agency uses the representative rate of the positions to determine equivalent grade levels and the best offer of assignment for a released employee. The agency does not use the representative rates when the positions are in the same pay schedule; in this situation, the agency directly compares the grades or levels of the positions.

When a competitive area includes more than one local commuting area or locality pay area, the agency determines assignment rights on the basis of the representative rate(s) for one local commuting area within the competitive area; the agency uses the same local commuting area it used to establish competitive levels in Section F.

Pay Schedules. "Pay schedule" means any one set of pay rates identified by statute or by an agency as applying to a group of occupations. The General Schedule (GS) is one pay schedule, regardless of special rates. The regular nonsupervisory, leader, and supervisory FWS schedules are considered to be separate pay schedules regardless of special rates. Agency special wage schedules for positions not under the regular schedules of the FWS are considered to be separate pay schedules.
Representative Rate Explanation. In RIF competition, "representative rate" does not include:

- Overtime;
- Night differential;
- Cost-of-living allowances; or

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- Premium pay.

Representative Rate Calculation. For General Schedule positions and other positions with per annum salary, the hourly equivalent of the representative rate is obtained by dividing the annual rate by 2,087 with the result adjusted to the nearest cent, rounding one-half and over to the next whole cent.

Representative Rate and the Rate Used to Determine Retention Rights. The agency compares employees' representative rates that are in effect on the date the agency issues specific RIF notices, unless the agency knows that new pay rates:

1. Have officially been approved, and

2. Will be effective by the effective date of the RIF.

Application of Representative Rates in Determining Employees' Assignment Rights. To determine whether a position in a different pay schedule is within the bump and retreat grade limits, the agency determines the representative rates for the employee's current position and for the lowest grade to which the employee has bump and retreat rights. The agency compares these limits with the representative rates in the different pay schedule, and determines the range of grades the employee may be assigned to in the other pay schedule.

The highest grade for an assignment right to a position in the other pay schedule is the highest grade with a representative rate that does not exceed the representative rate of the employee's current position. The lowest grade for an assignment right to a position in the other pay schedule is the lowest grade with a representative rate that is not less than the representative rate of the lowest grade to which the employee has bump and retreat rights.

Section V: *Consideration of Qualifications in Assignment*

Only Qualified Employees Have Assignment Rights. An employee released from a competitive level by RIF has bump or retreat rights to another position held by an employee with lower retention standing only if the released employee is qualified for assignment.

Qualification Standard. Except as covered in "Waiver of Qualification Requirements in Offering RIF Assignment to Vacant Positions" in Section R, a released employee is qualified for assignment to an available position if the employee:

1. Meets OPM-established requirements for the position, including any minimum educational requirement, and any selective placement factors established by the agency;

2. Is physically qualified, with reasonable accommodation where appropriate, to perform the duties of the position;

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3. Meets any OPM-approved special qualifying condition for the position; and

4. Clearly demonstrates, based on overall background, including recency of experience when appropriate, the ability to successfully perform the duties of the position upon assignment to it without undue interruption to the activity beyond that normally expected in the orientation of any new but fully qualified employee.

Section R covers the looser undue interruption standard that the agency may apply in offering a released employee assignment to a vacant position.

Other Qualifications Considerations. An agency must, when applicable, also consider other factors such as the following in determining whether a released employee is qualified for assignment to another position:

1. Before an agency may assign a released employee to a trainee or developmental position, the employee must meet additional conditions in Section W;

2. The agency may not consider the gender of a released employee in determining the employee's qualifications for assignment, except for positions where OPM has approved certification of eligibles by gender;

3. An agency may not deny a released employee assignment rights solely because an employee on leave of absence due to a compensable injury is not physically qualified for a position when the disqualification results from the compensable injury. Instead, the agency makes a decision on the employee's physical qualifications when the employee requests a return to duty under the restoration regulations;

4. In determining whether the assignment of a released employee would result in undue interruption to the activity, the agency may not use the "recency of experience" provision to disqualify an employee simply because the employee has not worked for some time in a particular function or occupation. (Note: The agency may use a recency of experience requirement in determining the employee's assignment right only for a position where the agency can demonstrate that this added requirement is appropriate for successful performance on the job); and

5. Before the agency may restrict assignment of a released employee to certain positions because the employee lacks a security clearance, the agency must consider additional undue interruption issues that are covered in Section Y.

Asking Employees for a Qualifications Update. An agency may ask employees to update their qualifications statements prior to a RIF and may establish a formal deadline for the receipt of this material. The agency is not obligated to consider material received after

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the deadline in determining the employee's qualifications for assignment to other positions.

Making Qualifications Determinations—Basics. The agency reviews available records (including the employee's Official Personnel Folder, a personal qualifications update, etc.) with information on the released employee's education, training, and experience to determine whether the employee is qualified for assignment to a position in a different competitive level.

Making Qualifications Determinations—Physical Qualifications Determinations. The agency determines, on the basis of available information, whether an employee is physically qualified, with reasonable accommodation, if necessary, for a position. An agency may require an employee who is released from a competitive level by RIF to undergo a relevant medical evaluation if the employee has potential assignment rights to a position with different:

1. OPM-approved medical standards;

2. Specific physical requirements; and/or

3. Performance tests (including physical fitness and physical agility).

Physical Qualifications Determinations and Undue Interruption. The undue interruption standard may also apply to an agency's decision regarding whether, for purposes of RIF assignment rights, a released employee meets a position's:

1. OPM-approved medical standards;

2. Specific physical requirements; and/or

3. Performance tests (including any physical fitness and physical agility described in the position description).

The agency's determination on whether a released employee is physically qualified for assignment to another position does not always require that the agency conduct a separate medical examination for that purpose. The agency may require a physical examination when the agency is considering the employee for a position that is subject to physical or medical standards, is covered by a medical surveillance program established by agency regulations, or has important duties that are more physically arduous than the position previously held.

OPM approval of a decision that an employee is not physically qualified is not required except in the case of employees who are 30 percent or more disabled veterans, as discussed below.

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Physical Qualifications Determinations and Injured Employees. An agency may not deny RIF assignment rights to an employee who is reached for release from a competitive level during a leave of absence that resulted from a compensable injury solely because the employee is physically disqualified as a result of the compensable injury. However, Section C explains that an employee carried on an agency's rolls because of a compensable injury is subject to RIF actions the same as if the injury had not occurred. Also, if the employee is separated by RIF while the employee is on compensation, the employee loses all restoration rights based upon the compensable injury.
The agency must determine whether the injured employee is entitled to any RIF assignment rights, subject to recovery from the injury. The agency also applies the undue interruption standard to an agency's decision on whether or not the employee meets the medical standards, and/or specific physical requirements of a position for purposes of RIF assignment rights.

Making Qualifications Determinations—Physical Qualifications Determinations for Certain Disabled Veterans. If the agency determines, on the basis of available evidence, that a preference eligible with a compensable service-connected disability of 30 percent or more is not able to fulfill the physical requirements of a position which the employee otherwise would have been offered by RIF assignment, the agency must notify OPM of this determination. At the same time, the agency must notify the employee of the determination, the reasons for the finding, and the employee's right to respond to OPM within 15 days of the notification. The agency is also required to demonstrate to OPM that the notification was timely sent to the employee's last known address.
A veteran is entitled to this procedure if the employee has a compensable service-connected disability of 30 percent or more, even though the employee may not be a preference eligible in RIF competition (for example, the employee is retired from the Armed Forces under a provision that excludes veterans' preference for retention purposes).
The agency may not assign any other person to the position until OPM has made a final determination concerning the physical qualifications of the employee for the position. After OPM has completed its review of the proposed disqualification, it will send its findings to both the agency and the employee. The agency is required to comply with OPM's findings.

The agency must submit the reasons for the determination to OPM, along with the complete medical information on which the determination was based. The agency sends the case to:

U.S. Office of Personnel Management
Strategic Human Resources Policy Division
Center for Talent and Capacity Policy—Medical
1900 E Street, NW, Room 6500
Washington, D.C. 20415-9500

Telephone: 202-606-0830; Fax: 202-606-0864.

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Waiver of Qualification Requirements in Offering RIF Assignment to Vacant Positions. In offering a released employee assignment to a vacant position, an agency, at its discretion, may waive OPM's qualification standards and requirements for the position, if the agency determines that the employee:

1. Meets any minimum education requirement for the position; and

2. Has the capacity, adaptability, and special skills needed to satisfactorily perform the duties and responsibilities of the position.

The promotion potential of the offered vacant position is not a consideration in offering employees assignment.

Modification of Qualifications in Offering Positions in Lieu of Separation or Other RIF Actions. The OPM Operating Manual, ***Qualification Standards for General Schedule Positions*** (which is available on the OPM website, www.opm.gov) provides that an agency, at its discretion, may modify qualification standards for in-service placement actions if the agency determines that the employee can successfully perform the work of a position even though the employee may not meet all the requirements in the OPM qualification standard. See Section S for information on the use of vacant positions as offers in lieu of separation or other RIF actions.

Section W: *Trainee and Developmental Positions for Assignment*

Assignment to a Trainee or Developmental Position. An agency must consider three additional qualification requirements when determining whether a released employee has assignment rights to a position held by a lower-standing employee in a formally-designated trainee or developmental position:

1. Whether the lower-standing employee holds a formally designated trainee or developmental position;

2. Whether the higher-standing employee meets all of the conditions for selection and entry into the formally designated trainee or developmental program; and,

3. If 1 and 2 above apply, whether undue interruption would result if the higher-standing employee displaced the employee holding the trainee or developmental position.

These additional conditions apply when the released employee is otherwise qualified for assignment to the position. See Section V for information on qualifications for assignment.

Characteristics of Trainee or Developmental Positions. For purposes of RIF competition under the regulations, a formally designated trainee or developmental position is a position in a program that:

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1. Has been designed to meet the agency's needs and requirements for the development of skilled personnel;

2. Has been formally designated, with its provisions announced to employees and supervisors;

3. Is developmental by design, offering planned growth in duties and responsibilities and providing advancement in recognized lines of career progression; and

4. Is fully implemented, with the participants chosen through standard selection procedures.

Positions in programs that do not meet all of these conditions are not considered trainee or developmental positions for purposes of the RIF regulations. For example, positions identified simply as career ladder positions, which do not meet all of the four characteristics covered above, are not considered trainee or developmental positions for RIF purposes.

Fully Trained Employees Have No Assignment Rights to a Trainee or Developmental Position. The RIF regulations do not authorize assignment of a higher-standing employee who has completed a course of training or development, or who is otherwise fully trained, into a position in a formally designed trainee or developmental program because the employee no longer meets the conditions for entry into the program. These restrictions prevent a journeyman from bumping or retreating into an apprenticeship program for the same trade or craft, or for the graduate of an intern program to bump or retreat into the same intern program, although the RIF regulations do not specifically bar higher-standing employees from displacing employees in trainee or developmental positions.

A released employee may displace a lower-standing employee in a trainee or developmental position only if the released employee is otherwise qualified for assignment to the position, and no undue interruption would result from the placement. In order to be considered qualified for assignment to a trainee or developmental position, an employee must meet all of the conditions required for selection and entry into the program.

Since a formally-designated trainee or developmental program always includes planned career advancement based upon progressive training or rotational assignments, undue interruption would normally result if a higher-standing employee was assigned to a trainee or developmental position after the program started. Also, because the definition of a formally-designated trainee or developmental position states that "participants (are) chosen through standard selection procedures" (i.e., merit staffing procedures), an agency may not make an offer of assignment to a vacant formally-designated trainee or developmental position.

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Section X: *Consideration of Security Clearances in Assignment*

Assignment to a Sensitive Position. An agency first determines an employee's qualifications for assignment to a sensitive position in the same manner, covered in Section V, that it makes qualifications determinations for assignment to other positions. See "Consideration of Security Clearances When Establishing Competitive Levels" in Section F for related information on security clearances.

In making a qualifications determination involving assignment to a sensitive position, the agency may consider whether the time period required for completion of a security clearance will result in undue interruption to the activity, and apply that standard in determining whether the released employee has a potential right of assignment. An employee who does not have a right of assignment to a sensitive position because approval of the security clearance would result in undue interruption is not qualified for assignment to that position, but still has potential assignment rights to other position.

Agency Should Initiate Clearance Process When It Determines Potential Right of Assignment. When an agency can satisfy an employee's right of assignment only by an offer of a sensitive position, the agency may not delay or deny the assignment solely because the employee does not have the appropriate security clearance or is in the process of obtaining the clearance. When the agency determines that an employee has a right of assignment to a sensitive position and that the employee's lack of a security clearance will not result in undue interruption, the agency at that time should initiate the actions to obtain the clearance.

Work Assignments While Approval of Clearance is Pending. While the security clearance is being processed, the agency may assign the employee to the sensitive position on the effective date of the RIF. If the agency cannot allow the employee access to classified material or permit the employee to perform the duties of the sensitive position, the agency may:

1. Give the employee nonsensitive duties of the position to perform;

2. Detail the employee to a nonsensitive position, or set of duties;

3. Grant leave upon the employee's request;

4. Suspend the employee as provided in part 732 of title 5, Code of Federal Regulations;

5. Temporarily give the duties of the sensitive position to another qualified employee with the requisite security clearance; or

6. Use a discretionary temporary exception to the regular order of release from a competitive level.

See Section N for information on temporary exceptions to the regular order of release.

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Assignment Rights When Clearance Is Denied. When an agency can satisfy an employee's right of assignment only by an offer of a sensitive position, but the employee fails the security clearance and is therefore not qualified for assignment to the sensitive position, the agency has two principal options:

1. Separate the employee by RIF from the position the employee holds at the time of release from the competitive level because the employee had no right of assignment to the position (e.g., the agency would use a discretionary temporary exception to retain the released employee past the effective date of the RIF); or

2. Assign the employee into the sensitive position with the security clearance on the RIF effective date, and then upon the later completion of the security clearance process, the agency may take any appropriate action, possibly including removal, as provided in part 752 of title 5, Code of Federal Regulations, for failure to meet the requirements of the new position.

Section Y: *Administrative Assignment Options*

Assignment Options. An agency may, when applicable and at its discretion, adopt any of the three options in the paragraphs below for assigning employees in a RIF.

Bumping in the Same Subgroup. An agency may permit competing employees in tenure groups I and II to displace other employees with lower retention standing within the same subgroup. The agency must determine each employee's same subgroup bumping rights consistent with the bumping provisions covered in Section Q.

The agency may use this same subgroup bumping option only to offer a released employee assignment to a position with a representative rate higher than that provided by the usual bumping procedures (displacing an employee on a different competitive level who is in a lower tenure group, or in a lower subgroup within the same subgroup as the released employee).

Bumping Rights for Employees in Tenure Group III. An agency may permit competing employees in tenure group III to bump other employees in tenure group III. Unless provided by the agency, tenure group III employees have no right of assignment under the RIF regulations.

An agency may not:

1. Provide a group III employee with retreat rights; or

2. Offer a group III employee a vacant position as a RIF offer of assignment.

Assignment Rights for Excepted Service Employees. An agency may provide bump and retreat rights for competing employees in the excepted service to other excepted positions filled under the same appointing authority as the position held by the released employee.

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Unless provided by the agency, excepted employees have no right of assignment under the RIF regulations. An agency may provide an excepted employee with assignment rights only to a position filled under the same appointing authority as the position held by the released employee.

Requirement that Administrative Assignment Rights Must Be Consistent with the RIF Regulations. If the agency offers employees assignment rights under any of the three administrative assignment options described in the paragraphs above, they must be consistent with the RIF regulations. For example, any offers must apply retention standing consistent with Section H.

Also, the agency must apply the administrative assignment provisions uniformly and consistently in any one RIF. For example, the agency could not limit administrative RIF assignment assignments to positions covered by only one of several excepted appointing authorities.

Restrictions on Administrative Assignment Rights. If the agency offers employees assignment rights under any of the three administrative assignment options described above in this section, the agency may not authorize:

1. Displacement of an employee except by an employee with higher retention standing as determined under the RIF regulations;

2. Assignment of an other-than-full-time employee to a full-time position, except as an offer of assignment to a vacant position in lieu of separation by RIF;

3. Assignment of a full-time employee to an other-than-full-time position, except as an offer of assignment to a vacant position in lieu of separation by RIF;

4. Assignment of an employee in the competitive service to a position in the excepted service; or

5. Assignment of an employee in the excepted service to a position in the competitive service.

Section Z-1: *RIF Notices to Employees*

Specific RIF Notice Basics. A specific RIF notice is a written communication from an agency official to an individual employee stating that the employee will be reached for a RIF action. An agency is required to issue a RIF notice only for a RIF reason and action. See Section C for information on reasons and actions covered by the RIF regulations.

Notice of Position Abolishment for DSR Eligibility. A notice of position abolishment for purposes of establishing eligibility for discontinued service retirement (DSR) is not a specific notice of RIF under the regulations. Chapter 44 of the ***CSRS and FERS***

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Handbook for Personnel and Payroll Offices (CSRS/FERS Handbook) contains complete information on DSR, including a sample notice of position abolishment for purposes of establishing eligibility for DSR.

Certification of Expected Separation. At its option, an agency may issue an employee a Certification of Expected Separation (CES) to assist the employee in pre-RIF placement assistance and early outplacement assistance. A CES is not a RIF notice. See Section Z-4 for information on the CES option.

Informational Notice. At its option, an agency may issue an advance informational notice to alert employees that a RIF may be necessary. An informational notice is not a RIF notice and does not count toward the mandatory notice period for a specific RIF notice. An informational notice does not satisfy an employee's right to a specific RIF notice. The RIF regulations do not provide any requirements for an agency's optional informational notice.
Mock RIF Notice. At its option, an agency may issue a mock RIF notice to alert employees that they may be reached for RIF actions. The RIF regulations do not include a definition of "mock RIF." A mock RIF notice is not a RIF notice and does not count toward the mandatory notice period for a specific RIF notice. A mock RIF notice does not satisfy an employee's right to a specific RIF notice.

Content of Specific RIF Notice. A specific RIF notice must contain the following information:

1. What RIF action the agency is taking (for example, the employee will be separated, demoted, or furloughed for more than 30 days);

2. The reasons for the RIF action;

3. The effective date of the RIF action;

4. The employee's competitive area, competitive level, retention subgroup, retention service date, and annual performance ratings of record received during the last 4 years before the agency issues RIF notices, or freezes ratings used to determine employees' retention standing;

5. The place where the employee may inspect the regulations and records pertinent to his or her case;

6. If applicable, the reasons for retaining a lower-standing employee under a mandatory exception, a permissive continuing exception, or a permissive temporary exception;

7. If applicable, notification that employees are being separated under the "liquidation provision" without regard to retention standing within the subgroup, and the date the liquidation RIF will be completed; and

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8. If applicable, the employee's right to appeal the RIF action to the Merit Systems Protection Board under the provisions of the Board's regulations, or to grieve the action under a negotiated grievance procedure.

Requirement to Provide Employee with a Copy of the RIF Regulations. When an agency issues a specific RIF notice to an employee, the agency must, at the employee's request, provide the employee with a copy of the RIF regulations (part 351 of title 5, Code of Federal Regulations).

Additional Notice Requirements When 50 or More Employees Are Separated By RIF from a Competitive Area. When an agency separates 50 or more employees by RIF from a competitive area, the agency has additional notice requirements to OPM, and to other Federal and non-Federal organizations. See Section Z-2 for information on these requirements.

Notice to Bargaining Unit Representative. At the same time the agency issues a RIF notice to an employee, the agency must also notify the exclusive representative, as defined in section 7103(a)(16) of title 5, United States Code, of each affected employee at the time of the notice. This notification requirement does not relieve the agency of any obligations under the Federal Labor Management Relations Statute, or an applicable collective bargaining agreement.

Minimum 60-Day RIF Notice for All Employees. An agency must give each competing employee at least 60 days specific written notice before the effective date of the RIF action. The 60-day minimum notice period applies to all RIF actions, including separation, demotion, and furlough. The 60-day notice period is a statutory requirement. An agency, as a matter of its own policy, may provide for a longer minimum RIF notice period.

An agency may use a "permissive temporary exception to satisfy a Government obligation" to the regular order of release in order to provide an employee with a minimum RIF notice when the agency was otherwise unable to give a timely notice to the employee. See Section N for information on permissive temporary exceptions.

New Notice Required For More Severe RIF Action. An employee is entitled to a new RIF notice, and a new notice period of at least 60 days, only if the agency takes a more severe RIF action than stated in the prior notice to the employee. For example, a change from a one-grade demotion to separation is an example of a more severe RIF action.

If necessary, an agency may use a permissive temporary exception to the regular order of release in order to meet the minimum notice requirement when the agency issues a new notice to an employee because of a more severe action. See Section N for information on permissive temporary exceptions.

An employee is also entitled to a new RIF notice, and a new notice period of at least 30 days, if the agency takes a more severe RIF action than stated in the prior notice to the employee, and the agency has obtained OPM approval for a shorter notice period, as

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covered in Section Z-3. A new 60-day notice period is not required when an agency takes the same, or a less severe, RIF action than specified in the prior notice.

No Maximum Length of RIF Notice. The RIF regulations do not establish a maximum period for RIF notices.
Requesting OPM Approval for a Shorter RIF Notice Period. An agency may request OPM to authorize a notice period of less than the minimum standard when a RIF is caused by unforeseeable circumstances (e.g., an earthquake or other unexpected natural disaster). See Section Z-3 for information on how an agency submits a request to OPM for a shorter RIF notice period.
Same Notice Requirements When Using an Individual Exception to the RIF Order of Release. When an agency makes an individual exception to the regular RIF order of release under a mandatory, continuing, or permissive exception, the retained employee is entitled to a specific written notice at least 60 days before the effective date of the RIF.

The implementation date of a RIF action for an employee covered by a permissive continuing exception, or a permissive temporary exception, is the date on which the exception expires. The agency may not continue the RIF notice period beyond the employee's retention period. See Section N for information on exceptions to the regular order of release by RIF.

Computing the RIF Notice Period. The notice period begins the day after the employee receives the RIF notice. The agency does not count the date the employee receives the notice, or the effective date of the RIF action, in computing the minimum RIF notice period. An agency may not count a Saturday, Sunday, or legal holiday as the last day of the minimum RIF notice period.

Amended RIF Notice—Later Effective Date. An agency must give an employee an amended RIF notice if the RIF effective date is changed to a later date than in the original notice. The amended RIF refers back to the prior notice, and contains updated information on the employee's retention standing (such as the employee's revised service computation date). A RIF action taken after the date specified in the notice given to the employee is not invalid for that reason, except when it is challenged by a higher-standing employee in the competitive level who is reached out of order for a RIF action as a result of the change in dates.

Amended RIF Notice—Earlier Effective Date. An agency may not take a RIF action before the effective date in the notice given to the employee. To take a RIF action before the effective date in the notice, the agency must cancel the RIF notice and issue the employee a new minimum 60-day RIF notice.

Amended RIF Notice—Better Offer of Assignment. An agency must give an employee an amended RIF notice and allow the employee to decide whether to accept a better offer of assignment to a position with a higher representative rate that becomes available before, or on, the effective date of the RIF. The agency must give the employee an amended notice regardless of whether the employee has accepted or rejected a

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previous offer. The employee is still entitled to only one offer of assignment and may be separated by RIF if the employee rejects the better offer, or fails to reply to the better offer within a reasonable time.

Expiration of RIF Notice—Implementation of Action. A RIF notice expires when it is followed by the RIF action specified in the notice.

Expiration of RIF Notice—Implementation of Less Severe Action. A RIF notice expires when it is followed by a RIF action that is less severe than specified in the prior notice (or than specified in an amendment to the notice), before the agency takes the action.

Employee's Duty Status During RIF Notice Period. When, in an emergency, the agency lacks work or funds for all or part of the RIF notice period, the agency may, with or without the employee's consent, place the employee:

1. On annual leave;

2. In a leave without pay status; or

3. In a nonpay status.

When possible, the agency must retain the employee on active duty during the RIF notice period.

Section Z-2: *Additional Notice Requirements for RIF Separations*

Additional Notice Requirements. The notice requirements in this Section are in addition to the RIF notice provisions covered in Section Z-1.

More Information for Employees. When an agency separates an employee by RIF, the agency must provide the employee (either in or with the RIF notice, or as a separate supplemental notice to the released employee), with information on:

1. Severance pay if the displaced employee is eligible, including an estimate;

2. Benefits available through the State under the Workforce Investment Act of 1998 (Public Law 105-277);

3. Authorizing the release of the displaced employee's resume to potential employers;

4. Registration for the RPL;

5. The agency's CTAP for local surplus and displaced employees;

6. The interagency ICTAP program; and

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7. How to apply for unemployment insurance through the appropriate State office.
Notice to Other Organizations When 50 or More Employees Receive RIF Separation Notices. When an agency separates 50 or more employees from a competitive area, the agency has additional notice requirements to OPM, and to other Federal and non-Federal organizations. The additional information is described in the next paragraph. The agency must send this additional notice to the three organizations below at the same time it issues the separation notices to the employees.

The agency must provide a notice with the information to:

- The appropriate State program authorized by the Workforce Investment Act (WIA) of 1998;

- The chief elected government official of the local government(s) within which 50 or more employees will be separated by RIF; and
- The OPM at the address below:

  Deputy Associate Director
  Recruitment and Hiring
  U.S. Office of Personnel Management
  1900 E Street NW, Room 6500
  Washington, DC 20415

To expedite processing, the agency may also fax the request to 202-606-4430.

Content of Notifications to Other Organizations. The additional notices to the three organizations listed in the paragraph above (i.e., State dislocated worker program, local governmental unit, and OPM) must include:

1. The number of employees the agency will separate by RIF, broken down by geographic area or other basis specified by OPM;

2. The effective date of the RIF separations; and

3. Any other information required by OPM, including information needs identified from consultation between OPM and the Department of Labor to facilitate delivery of placement and related services.

Section Z-3: *Requesting an Exception to the Minimum RIF Notice Period*

OPM Approval Required for RIF Notice of Less Than 60 Days. When a RIF is caused by unforeseeable circumstances, an agency may request OPM to authorize a notice period of less than 60 days. The agency is still required to provide at least 30 full days' notice before the effective date of the RIF action.
Request From Agency's Headquarters for OPM Approval of RIF Notice of Less Than 60 Days. An agency's request for an exception to the minimum 60-day specific RIF notice

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period must be signed by the head of the agency or a specific designee in the headquarters.

Content of Agency's Request to OPM. An agency's request to OPM for a shorter RIF notice period must specify:

1. The organization and geographic location for which an exception is requested;

2. The effective date of the RIF;

3. The number of employees who will be issued RIF notices;

4. The number of days by which the agency requests the notice period be shortened;

5. The reasons why a shorter RIF notice period is needed; and

6. The name, telephone number, and title of an agency contact person in the event OPM needs additional information about the request.

OPM Address for Submitting a Request. Agencies must submit a request for a shorter RIF notice period to:

Deputy Associate Director
Recruitment and Hiring
U.S. Office of Personnel Management
1900 E Street NW, Room 6500
Washington, DC 20415

To expedite processing, the agency may also fax the request to 202-606-4430.

Section Z-4: *Certification of Expected Separation*

The Certification of Expected Separation (CES) allows otherwise eligible employees to participate in dislocated worker programs under the State WIA programs administered by the U.S. Department of Labor.
Maximum Time Limit for CES. An agency may issue a CES up to 6 months prior to the expected effective date of a RIF.
A CES is Not a RIF Notice. An agency may not use a CES to meet any of the RIF notice requirements covered in Section Z-2.
Conditions for Agencies to Use the CES. At its option, an agency may issue a CES to a competing employee only when the agency determines:

1. There is a likelihood that the employee will be separated by RIF;

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2. Employment opportunities in the same or similar position in the local commuting area are limited or nonexistent;

3. Placement opportunities within the employee's own agency or other Federal agencies in the local commuting area are limited or nonexistent; and

4. If eligible for optional retirement (including voluntary early retirement), the employee has not filed a retirement application or otherwise indicated in writing an intent to retire.

An agency may not issue a CES on the basis of an employee's possible separation as the result of declining geographic relocation resulting from reassignment, transfer of function, realignment, change of duty station, or similar action.
Content of CES. A CES must:

- Be addressed to each individual eligible employee;
- Be signed by an appropriate agency official;
- Contain the expected date of the RIF;
- Confirm that each factor covered in the paragraph above is met; and,
- Include a description of available WIA programs, the agency's RPL, CTAP, and ICTAP.

Employees' Eligibility for Additional Outplacement Assistance After Receiving a CES. An agency provides intra-agency selection priority to an employee who has received a CES through CTAP and the RPL. An employee who has received a CES is not eligible for interagency selection priority through ICTAP.

Section Z-5: *RIF Appeals*

Right to Appeal a RIF Action. An employee has a right to file a RIF appeal to the Merit Systems Protection Board under the provisions of the Board's regulations if, under authority of the RIF regulations, the employee was:

1. Separated;

2. Demoted; or

3. Furloughed for more than—

   - 30 consecutive calendar days, or
   - 22 discontinuous workdays,

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but not more than 1 year.

An employee who accepts an offer of assignment to another position at the same representative rate may not appeal the RIF action to the Board.

Section Z-6 addresses the situation of an employee in a bargaining unit covered by a negotiated grievance procedure with exclusive procedures for resolving any personnel action (including a RIF) that could otherwise be appealed to the Board. Such an individual must use the negotiated grievance procedure in lieu of appealing the RIF action to the Board unless, as provided in section 7121(d)) of title 5, United States Code, the employee alleges discrimination. If the negotiated grievance procedure excludes RIF actions, then the employee may not use the grievance procedure, but instead may appeal the RIF action to the Board.
Time Limits for Filing an Appeal. An employee may file an appeal with the Board during the 30-day period beginning with the day after the effective date of the action being appealed. The Board will not accept an appeal that is filed on or before the effective date of the action. The Board may accept an appeal filed after the 30-day period if the agency did not advise the employee of the right to appeal an action or if the employee can establish the employee exercised due diligence or ordinary prudence under the circumstances. The MSPB may accept an appeal from employees alleging the agency used bad faith acts such as misrepresentation or coercion to downgrade or separate them.
Notice of Appeal Rights. When an agency issues a decision notice to an employee on a matter appealable to the Merit Systems Protection Board, the agency must provide the employee with the following information:

1. Notice of the time limits for appealing to the Board;

2. Any applicable limits on the employee's right to file an appeal because of a bargaining agreement;

3. If applicable, the right of the employee to elect whether to file a RIF appeal to the Board based on discrimination, in lieu of a grievance;

4. The address of the appropriate Board office where the employee should file the appeal; and

5. A copy, or access to a copy, of the Board's regulations.

Agencies should consult the Board's current regulations (part 1201 of title 5, Code of Federal Regulations) prior to a RIF in order to have necessary information on the appeals process ready for distribution to affected employees. A copy of the appeal form is found in the Board's regulations. The address for the Board's website, with complete information on filing an appeal, is www.mspb.gov.

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Section Z-6: *RIF Grievances*

Employee Right to Grieve a RIF Action. An employee covered by a collective bargaining agreement that is the exclusive procedure for a RIF action must use that procedure to file a grievance if the employee believes that the agency failed to properly apply the RIF regulations.

As provided in section 7121(d) of title 5, United States Code, an employee covered by the exclusive grievance procedure who alleges discrimination under section 2302(b)(1) of title 5, United States Code, has the option of either filing a grievance under the negotiated grievance procedures or filing an appeal with the Merit Systems Protection Board.

If the negotiated grievance procedure excludes RIF actions, then the employee may appeal the RIF action to the Board, but may not use the grievance procedure.

Time Limits for Filing a Grievance. The time limits for filing a grievance under a negotiated grievance procedure are spelled out in the applicable collective bargaining agreement.

Election of Procedure Under the Exception to Grieve. The agency must advise each employee who would otherwise have only a grievance right under a negotiated grievance procedure that the employee also has the option of filing a RIF appeal to the Board when a discrimination issue is raised under section 2302(b)(1) of title 5, United States Code.

An employee may not file a RIF appeal before the effective date of the RIF action, even when the employee's basic right is to file a grievance under a negotiated grievance procedure. The employee may then file an appeal with the Board during the 30-day period beginning with the day after the effective date of the action being appealed. An employee who files a grievance follows the provisions of the negotiated procedure.

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Chapter IV: *Post-RIF Actions*

Chapter IV provides guidance on post-RIF actions:

- Career Transition Assistance Plan (CTAP) (Section A)
- Interagency Career Transition Assistance Plan (ICTAP (Section B)
- Reemployment Priority List (Section C)
- Retraining Options Under the Workforce Investment Act of 1998 (Section D)

Section A: *Career Transition Assistance Plan (CTAP)*

Establishing Career Transition Assistance Plans. OPM requires that each agency establish a CTAP to actively assist its surplus and displaced employees. Each agency must ensure that it applies CTAP uniformly and consistently to all eligible employees.

The agency head, department head, a deputy secretary, or an under secretary (as applicable), must approve the agency's CTAP. Agencies must send their approved plans, and any later modifications, to OPM.

Career Transition Services. An agency's CTAP must include policies to provide the following types of career transition services to all employees who are surplus or displaced because of downsizing or restructuring (including employees in the excepted service and the Senior Executive Service):

- Excused absence for employees to use the career transition services and facilities;

- Continued employee access to the career transition services or facilities even if the employee is separated;

- A specific orientation session for surplus and displaced employees on the use of career transition services, the eligibility requirements for selection priority under both CTAP and the Interagency Career Transition Assistance Plan (ICTAP), and information on how to apply for vacancies under both CTAP and ICTAP;

- Retraining opportunities for employees;

- Access by employees, including those with disabilities, to career transition services at all locations, including headquarters, field offices, and remote site locations;

- Access to resource information on other forms of Federal, State, and local assistance which are available to support career transition for employees with disabilities;

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- Role of employee assistance programs in providing career transition services; and

- Designation of career transition priority based upon individual agency components, if the agency elects this option.

Agency Special Selection Priority. An agency's CTAP must include policies to provide special selection priority to well-qualified surplus and/or displaced agency employees who apply for agency vacancies in the local commuting area.

Surplus and displaced employees receive selection priority through CTAP when they apply for vacant positions. The requirement to establish an internal agency selection priority program does not affect the Department of Defense, which uses its Priority Placement Program (PPP) to provide comparable selection priority to its employees.

When agencies recruit to fill vacancies, they must notify their surplus or displaced employees of these opportunities. This agency selection priority applies before the agency can select any other candidate from either within or outside the agency. This selection priority covers all agency components in the same local commuting area of the employee's present position. The agency's CTAP must describe agency procedures for reviewing questions concerning qualifications of the agency's surplus and/or displaced employees.

Reemployment Priority List. An agency's CTAP must include policies that implement selection priority procedures for current or former employees who are eligible for the agency's RPL. In order to have CTAP selection priority, the employee must still be on the agency's rolls.

Career and Career-Conditional Employees. For purposes of eligibility for CTAP, "surplus employee" includes a current career or career-conditional competitive service employee in RIF retention tenure group I or II who holds a position at GS-15 or below (or equivalent), and has received:

- A Certification of Expected Separation (CES)

- A notice stating that the employee is eligible for discontinued service retirement (DSR) (see Chapter 44 of the *CSRS and FERS Handbook for Personnel and Payroll Offices* for information on DSR. The Handbook is available on the OPM website at www.opm.gov); or

- A notice of position abolishment, or an equivalent notice indicating that the employee's position is surplus for purposes of CTAP eligibility.

Excepted Service Employees With Statutory Selection Priority. For purposes of eligibility for CTAP, "surplus employee" includes an employee in the executive branch serving on an excepted service appointment without time limit at GS-15 or below (or

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equivalent), who is eligible for noncompetitive appointment eligibility and special selection priority by statute for positions in the competitive service, and who has received:

- A CES;
- A notice stating that the employee is eligible for DSR; or
- A notice of position abolishment, or an equivalent notice indicating that the employee's position is surplus for purposes of CTAP eligibility; or
- A notice of separation by RIF or by adverse action for declining a position in a different local commuting area because of a transfer of function, realignment, reassignment, change of duty station, or similar reason.

Other Excepted Service Employees. For purposes of eligibility for CTAP, "surplus employee" includes a current employee who holds an excepted service appointment without time limit at GS-15 or below (or equivalent), and who has received:

- A CES;
- A notice stating that the employee is eligible for DSR;
- A notice of position abolishment, or an equivalent notice indicating that the employee's position is surplus for purposes of CTAP eligibility; or
- A notice of separation by RIF or by adverse action for declining a position in a different local commuting area because of a transfer of function, realignment, reassignment, change of duty station, or similar reason.

If the agency provides this option, the employee has selection priority for permanent excepted service positions in the same agency that are located within the same local commuting area as the employee's current position. The position to which the employee is appointed must have the same appointing authority (for example, Schedule A or Schedule B) as the excepted service position from which the employee is being involuntarily separated.

See Appendix B, Career Transition Assistance Plan (CTAP), for additional information on other qualifying conditions for eligibility, beginning date of eligibility, ending date of eligibility, notification requirements, order of selection, exceptions to the special selection order, application for vacancies, proof of eligibility, agency selections for vacancies, and oversight, complaints and appeals.

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Section B: *Interagency Career Transition Assistance Plan (ICTAP)*

ICTAP provides eligible displaced competitive service employees with external selection priority over other outside candidates for competitive service vacancies that other agencies are filling in the same local commuting area as the employee's present agency from which the employee was, or will be, separated.

Agency Special Selection Priority. ICTAP is based on an "employee empowerment" approach, through which eligible displaced employees receive selection priority when they apply for vacant positions in other agencies in the local commuting area. ICTAP does not provide a displaced employee with selection priority to positions in the agency from which the employee was, or will be, separated. An employee separated by RIF has selection priority over other outside candidates through the Reemployment Priority List (RPL). See Section C of this chapter for information on the RPL.

Career and Career-Conditional Employees. For purposes of eligibility for ICTAP, "displaced employee" includes a current or former career or career-conditional competitive service employee in retention tenure group I or II who holds a position at GS-15 or below (or equivalent), and has received:

1. A specific notice of separation by RIF; or

2. A written notice of proposed removal (including a final decision) by adverse action for declining a directed reassignment, transfer of function, or other similar reason, outside of the employee's current local commuting area.

An employee who retired on the effective date of the RIF is eligible for ICTAP. An employee who declined a RIF offer of assignment is eligible for ICTAP. A Department of Defense employee who volunteers for RIF separation under section 3502(f) of title 5, United States Code, or other applicable authority is eligible for ICTAP on the same basis as other eligible employees.

The ICTAP definition of "displaced employee" excludes employees displaced from positions above GS-15, including Administrative Law Judge and Senior-Level (SL) positions. An employee who has received only a CES is not eligible for ICTAP.

Prior Removal Because of Compensable Injury. For purposes of eligibility for ICTAP, "displaced employee" includes a former career or career-conditional competitive service employee in retention tenure group I or II who was separated from a position at GS-15 or below (or equivalent) and:

1. Whom the former agency separated because of compensable injury or illness;

2. Whose compensation from the Department of Labor's Office of Workers Compensation Programs (OWCP) is now terminated; and

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3. Whom the former agency is unable to place through the RPL. See Section C for information on the RPL.

Termination of Disability Annuity. For purposes of eligibility for ICTAP, "displaced employee" includes a former career or career-conditional competitive service employee:

1. Who retired with a disability annuity under the Civil Service Retirement System (CSRS) or under the Federal Employees' Retirement System (FERS); and,

2. Whose disability annuity has been, or is being, terminated.

Prior Discontinued Service Retirement After Receiving RIF Separation Notice. For purposes of eligibility for ICTAP, "displaced employee" includes a former career or career-conditional competitive service employee in retention tenure group I or II who received a notice of separation by RIF from a position at GS-15 or below (or equivalent) and retired under the discontinued service retirement (DSR) option.

An individual who retired under the DSR option after receiving only a notice of position abolishment for purposes of DSR (i.e., the employee did not receive a specific notice of RIF separation), is not considered a displaced employee and is not eligible for ICTAP.

Chapter 44 of the *CSRS and FERS Handbook for Personnel and Payroll Offices* contains more information about DSR and is available on the OPM website at www.opm.gov.

Disabled Reserve or National Guard Technician. For purposes of eligibility for ICTAP, "displaced employee" includes a former Military Reserve Technician, or a former National Guard Technician, who is receiving a special disability retirement annuity from OPM under CSRS or FERS.

Excepted Service Employees With Statutory Selection Priority. For purposes of eligibility for ICTAP, "displaced employee" includes a current Senior Executive Service member serving in the executive branch on an excepted service appointment without time limit, who is eligible for both noncompetitive appointment and special selection priority by statute for positions in the competitive service, and has received:

1. A specific notice of separation by RIF; or

2. A written notice of proposed removal (including a final decision) by adverse action for declining a directed reassignment, transfer of function, or other similar reason, outside of the employee's present local commuting area.

See Appendix E, Interagency Career Transition Assistance Plan (ICTAP), for additional information on other qualifying conditions for eligibility, beginning date of eligibility, ending date of eligibility, notification requirements, order of selection, exceptions to the

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special selection order, application for vacancies, proof of eligibility, agency selections for vacancies, and oversight, complaints and appeals.

Section C: *Reemployment Priority List*

General Requirements. Each agency must establish and maintain a RPL for each local commuting area in which:

- The agency separates, or will separate, one or more competitive service employees by reduction in force (RIF); or
- A former employee of the agency recovers from a compensable injury after more than 1 year.

Coverage of RPL Regulations. The RPL regulations in subpart B of part 330, Code of Federal Regulations, apply to each agency with competitive service employees, or with employees who by statute have the same rights as competitive service employees. For example, a preference eligible employee of the Postal Service is covered by the RPL regulations.

When an agency establishes a RPL, all components of the agency in the local commuting area are responsible for giving priority consideration to all of the registrants on the List. If an agency has different components in a local commuting area, the agency may allow employees to indicate their availability on the RPL only for certain activities or locations within the local commuting area.

A Department of Defense employee who volunteers for RIF separation under section 3502(f) of title 5, United States Code, or similar authority, is eligible for the RPL on the same basis as other eligible employees.

Exception to RPL Coverage. An agency is not required to establish a RPL for employees who were, or will be, separated by RIF, if the agency:

1. Operates a placement program for its employees; and
2. Obtains OPM approval that the program satisfies the basic regulatory requirements covering the RPL.

This option allows individual agencies to implement different placement strategies that are effective for their particular programs, and still meet employees' legal entitlements to priority consideration for reemployment.

Requirement to Notify Eligible Employees. The agency must give each eligible employee information about the RPL at the same time the agency gives the employee a specific RIF notice of separation.

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See Appendix K, Reemployment Priority List, for additional information on eligibility based on RIF, eligibility based on compensable injury, length of eligibility for selection, early loss of eligibility, employee registration based on RIF, employee registration based on compensable injury, employee consideration based on RIF, employee consideration based on injury compensation, restrictions on filling positions, RPL selections—general, selection from the RPL—retention standing order procedure, selection from the RPL—rating and ranking order procedure, exceptions to the regular order of selection, qualifications for selection, alternative individual agency placement programs, RPL appeals and grievances and corrective action.

Section D: *Retraining Options Under the Workforce Investment Act of 1998*

The Workforce Investment Act (WIA) of 1998 provides both training and retraining options to assist displaced employees who are unlikely to return to their previous occupation. The WIA requires each State to provide employment assistance to all displaced workers, including Federal employees. The WIA program is administered by the Department of Labor. The WIA provides a wide range of services to help individuals displaced from their positions because of workforce reshaping. These services include skills assessments, job development, counseling, job search assistance, and training or retraining. Specific services are available through State and local employment offices. The RIF regulations require that an agency must provide each employee who receives a RIF notice of separation with information about the WIA program. See Section Z-3 in Chapter III for information on the special notice requirements when an agency separates employees by RIF.

CES Option. At its option, an agency may issue a Certificate of Expected Separation (CES) to an employee who is likely to be separated within 6 months by RIF. (An employee who is excess because of possible relocation is not eligible to receive a CES.)

The CES makes a surplus employee eligible for some or all WIA services before the employee actually receives a specific notice of RIF separation. Note that even with the CES, most States will not provide retraining services until the employee is actually separated by RIF.

The State-based WIA offices offer many services for employees faced with involuntary separation because of RIF or relocation. The WIA representatives will often come onsite to explain the benefits available to displaced employees, and then register the displaced employees for available programs. In most situations, the WIA representatives are extremely flexible in providing valuable transition services to displaced employees. The agency should contact the appropriate WIA and related State offices as soon as the agency finds that it may be necessary to carry out involuntary separations. The Department of Labor's website provides links to State-based WIA offices and other State and local services for displaced employees at: **http://www.careeronestop.org/**.

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Chapter V: *Transfer of Function*

This chapter offers the following guidance for agencies on transfer of function and related actions:

- Applicability (Section A)
- Agency Responsibility (Section B)
- How to Apply the Regulations (Section C)
- Identification of Employees and Positions with a Transferring Function (Section D)
- Identification Method One (Section E)
- Identification Method Two (Section F)
- Employees of Losing Competitive Area (Section G)
- Employees of Gaining Competitive Area (Section H)
- Transfer for Liquidation (Section I)
- Canvass Letters (Section J)
- Volunteers for Transfer (Section K)
- Appeals and Grievances (Section L)

Section A: *Applicability*

Must Continue in Identifiable Form. In a transfer of function, the function must:

1. Cease in the losing competitive area(s) at the time of transfer; and

2. Be performed in an identifiable form in a different competitive area (or areas) where the function was not being performed at the time of transfer.

The "identifiable form" requirement means that the transfer of function regulations apply only when the transferred function will be performed by competing employees in the gaining competitive area. A transfer of function does not take place when the function of competing employees will not be performed by competing employees in the gaining competitive area; for example, a function is not performed in an identifiable form if the function transfers to a gaining competitive area and is outsourced for performance by contract employees, in a different competitive area, or by members of the Armed Forces, rather than by competing employees in the gaining competitive area.

Authority for a Transfer of Function. The transfer of function regulations apply whether or not the movement of work is authorized by:

- A statute;

- An Executive order;

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- A formal reorganization plan; or
- Other authority.

A Transfer of Function May be Intra- or Interagency. The transfer of function regulations use the same procedures for both intra- and interagency transfers. An interagency transfer of a function and/or personnel requires specific statutory authorization. Without a specific statutory basis, there is no authority for an agency to permanently transfer a function and/or personnel to another agency on the basis of a memorandum of understanding, a directive from the Executive Office of the President, a reimbursable agreement, or other administrative procedure.

Statutory Exceptions to Usual Transfer of Function Requirements. Congress has the authority to:

- Exempt, expand, or modify intra- and interagency transfers of function and personnel from the transfer of function regulations; or
- Expand, limit, and/or modify the procedures agencies use to identify employees for intra- and interagency transfers of function.

Movement of a Function Within a Competitive Area is not a Transfer of Function. The movement of a function within a competitive area does not meet either of the two transfer of function conditions. The movement of a function within a competitive area is a reorganization.

Transfer of a Function for Liquidation. Under the transfer of function regulations, a competing employee who is identified with a function that will be liquidated or terminated does not have a right to any continuing positions in the gaining competitive area. An employee whose position is transferred as a transfer of function solely for liquidation is not a competing employee for other positions in the competitive area gaining the function.

The liquidation exception to the transfer of function regulations applies to any function that is not specifically authorized at the time of transfer to continue in operation for more than 60 days in the gaining competitive area (i.e., the function is transferred to the gaining competitive area for termination). The transfer of function regulations do not apply to the transfer of a function that is associated solely with the completion of a terminated program, even when the closeout work continues in the gaining competitive area for more than 60 days.

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Section B: *Agency Responsibility*

Management's Right to Make Transfer of function Decisions. The agency has the right and responsibility to determine whether the transfer of function regulations apply to the movement of work from one competitive area to another, or to the movement of the entire competitive area to a different local commuting area.

Management's Right to Take Other Actions. A transfer of function does not suspend management's right to take other personnel actions before, concurrent with, or after the transfer of function.

Basis for Transfer of function Decisions. The losing and the gaining competitive areas refer to relevant documents in determining whether the transfer of function regulations apply. The reference point for a transfer of function determination is the organizational manual and delegations of authority for the losing and gaining competitive areas, supplemented, if necessary, by the enabling legislation and other implementing instructions that serve as the basis for the performance of the function.
These documents provide evidence regarding whether the work that is being transferred meets the definition of a function. A function is defined as all or a clearly identifiable segment of an agency's mission (including all integral parts of that mission) regardless of how it is performed. If the work meets the definition of a function, these documents then serve as the basis for a decision on whether the transfer of function regulations apply to the movement of work to one or more gaining competitive areas.

Section C: *How to Apply the Regulations*

The Agency Considers the Same Transfer of function Criteria in Any Movement of Work Situation. Section B covers the general conditions under which the transfer of function regulations apply to the movement of work. The agency considers the same criteria in any movement-of-work situation, including:

A potential transfer of function may involve any or all of the situations covered in the examples below. By isolating each transferring function as the work is documented by the losing competitive area and then determining if the same class of activity is performed by the gaining competitive area at the time of transfer, the losing and the gaining competitive areas may determine whether the transfer of function regulations apply to any situation.

- The transfer of a function that supports a different transferring function;
- The consolidation of a function from more than one competitive area into a single competitive area;

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- The fragmentation of a function from one competitive area to two or more different competitive areas;

- A phased transfer of function in which portions of the function transfer to one or more different competitive areas over a period of time;

- A phased transfer of function in which employees who are performing the transferring function move to a different duty site over a period of time;

- The closure of an activity under the jurisdiction of one agency (or subagency), with a different agency (or subagency) assuming responsibility for a successor activity at the same duty site;

- The transfer of one of several functions performed by a manager or supervisor; or

.

A potential transfer of function may involve any or all of the situations covered in the examples above. By isolating each transferring function as the work is documented by the losing competitive area and then determining if the same class of activity is performed by the gaining competitive area at the time of transfer, the losing and the gaining competitive areas may determine whether the transfer of function regulations apply to any situation.

Importance of Cooperation Between the Losing and the Gaining Competitive Areas. The competitive areas that are losing and gaining a function must cooperate in meeting their responsibility to determine:

1. Whether the transfer of function regulations apply to the movement of work from one competitive area to another;

2. Based on the transfer of function determination, which competitive area is responsible for personnel actions if competing employees are subsequently separated or downgraded; and

3. If the agency separates or downgrades competing employees following the transfer of the function, what specific personnel procedures the agency used (for example, RIF or adverse action procedures) to carry out the action.

Section D: *Identification of Employees and Positions With a Transferring Function*

Responsibility of the Losing Competitive Area to Identify Positions and Employees. The competitive area losing the function is responsible for identifying positions and employees for transfer with the function.

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The Two Procedures Agencies Use to Identify Positions and Employees for Transfer. The transfer of function regulations provide for two procedures that the losing competitive area must use in identifying both positions and employees for transfer:

1. Identification Method One; and

2. Identification Method Two

The Two Identification Procedures are Mandatory. The losing competitive area may use only Identification Method One or Identification Method Two to identify employees for transfer with a function. The losing competitive area may not substitute a different procedure that would change the right of an employee identified under Identification Method One or Identification Method Two to transfer with a function.

Identification Method One generally applies to line positions (for example, positions in an engineering development function), while Identification Method Two generally applies to support positions (for example, positions in a typing pool that service the engineering development function as well as other functions). The losing competitive area may allow employees not identified under Method One or Method Two to volunteer for transfer only if no employee with a right to transfer is separated or downgraded because of this decision. See Section L for information on providing volunteers the opportunity to transfer with a function.

Use of Identification Method One Versus Use of Identification Method Two. The losing competitive area must use Identification Method One to identify each employee for transfer when this procedure applies to the situation. The losing competitive area uses Identification Method Two only to identify positions not covered by Identification Method One.

Using the Position Description to Identify Employees for Transfer. The losing competitive area identifies each competing employee with a transferring function on the basis of the employee's official position description.

Supplementing the Position Description to Identify Employees for Transfer. In determining what percentage of time an employee performs a function, the losing competitive area may supplement the official position description by the use of material such as official work reports, organizational time logs, and similarly appropriate items.

Section E: *Identification Method One*

Under Identification Method One, the losing competitive area identifies a competing employee with a transferring function if:

1. The employee performs the function during at least half of the employee's work time; or

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2. Regardless of the amount of time that the employee performs the function, the function includes the employee's grade-controlling duties under position classification standards.

Grade-Controlling Duties Must Support Entire Grade of Position. The losing competitive area identifies a competing employee with a transferring function based on grade-controlling duties only if the employee's work on the transferring function would, by itself, support the employee's current grade.
Identification Method Two—Transfer of Positions When Both Method One and Method Two Apply to the Same Retention Register. In some situations, the agency may find that some employees are identified for transfer under Identification Method One, and other employees in the same position are properly identified for transfer under Identification Method Two. See Section F for information on identifying positions for transfer when both Identification Method One and Identification Method Two apply to the same retention register.

Section F: *Identification Method Two*

An agency uses Identification Method Two to identify a competing employee with a transferring function if:

1. The employee performs the function during less than half of the employee's work time; and,

2. The employee's duties on the function are not grade-controlling.

Identification Method Two—Number of Employees with a Right to Transfer. Under Identification Method Two, the losing competitive area must first identify the number of positions it needs to perform the transferring function. The number of employees with the right to transfer with the function under Identification Method Two is the number of positions that the losing competitive area needs to perform the transferring function.

Identification Method Two does not provide employees a transfer of function right based upon less than one position (for example, if the losing competitive area needed less than one position to perform the transferring function no employee would have a transfer of function right), or for a fraction of a position (for example, if the losing competitive area needed 2.5 positions to perform the transferring function, the losing competitive area identifies two positions).

Identification Method Two—Developing Retention Registers. After determining the number of positions it needs to perform the transferring function, the losing competitive area must then establish retention registers that include only the names of all competing employees who perform the function and are not covered by Identification Method One. This means that the agency does not automatically use the same retention registers that would be used for RIF competition.

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Identification Method Two—Using Retention Registers to Identify Employees for Transfer with the Function. To determine which competing employees are identified for transfer under Identification Method Two, the losing competitive area uses the retention registers it established under the paragraph above and identifies employees in the inverse order of their retention standing, except as provided below. Under this basic procedure, the agency identifies the employee with the lowest standing on the retention register for transfer with the function.

If, for any retention register, the agency's use of the basic Identification Method Two procedure above would result in the separation or demotion by RIF of an employee with higher retention standing than the employee who would be transferred under Identification Method Two, the agency identifies competing employees on that register for transfer in the actual order of their retention standing (i.e., beginning with the highest standing employee on that retention register).

For example, under this alternative Identification Method Two procedure, the agency identifies the employee with the highest standing on the retention register, rather than the employee with the lowest standing on the retention register, for transfer with the function. This may occur in a closure or similar shutdown situation when the losing agency is being abolished, a continuing function will transfer to a continuing competitive area, and employees who do not transfer are faced with separation or downgrading by RIF in the losing competitive area.

In a transfer of function held concurrently with a RIF in the losing competitive area, the agency may find that, under Identification Method Two, on some retention registers it identifies employees for transfer in the inverse order of their retention standing, and on other registers, the agency identifies employees in the actual order of their retention standing. Regardless of the order of retention standing, under Identification Method Two the losing competitive area identifies for transfer only the number of positions it needed to perform the transferring function.

Identification Method Two—Transfer of Positions when Both Method One and Method Two Apply to the Same Retention Register. The agency may find, in developing a retention register under Identification Method Two, that some employees on the retention register are actually identified for transfer under Identification Method One, and other employees on the same retention register are identified for transfer under Identification Method Two.

This situation can develop when some employees working in support of a transferring function spend at least half of their work time on the transferring function, while other employees working in support of the same function spend less than half of their work time on the transferring function, and the balance of their work time supporting other functions.

In this situation, the losing competitive area first identifies all employees with transfer of function rights under Identification Method One, without regard to the total number of employees that the losing competitive area needs to perform the transferring function.

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The losing competitive area then refers to the total number of positions it needs to perform the transferring function. If the losing competitive area finds that the total number of positions needed to perform the transferring function is:

1. The same or less than the number of employees identified for transfer under Identification Method One, then all of the Method One employees are identified for transfer; or

2. Greater than the number of employees identified for transfer under Identification Method One, then the losing competitive area uses Identification Method Two to identify the remaining employees for transfer until the total number of employees identified under Identification Methods One and Two equals the total number of positions needed to perform the transferring function.

Section G: Employees of Losing Competitive Area

Right of an Employee to Transfer with the Function. Regardless of an employee's personal preference, a competing employee who is identified for transfer under Identification Method One or Identification Method Two has no right to transfer with a function unless the alternative is separation or downgrading of the employee by RIF in the competitive area losing the function. This means that a competing employee who is identified with a transferring function has the right to transfer with the function to the gaining competitive area if, after the transfer of function, the employee will be separated or downgraded by RIF in the losing competitive area.

Separation of an Employee Who Refuses to Transfer with the Function. The losing competitive area uses adverse action procedures if it chooses to separate an employee who declines to transfer with the function to a different local commuting area. See Section J for information on transfer of function canvass letters only with a functional transfer to a different local commuting area. **In lieu of using adverse action procedures to separate the employee who refuses to transfer with the function to a different local commuting area, the agency may instead:**

- Reassign the employee to another continuing position under the agency's general authority to reassign employees; or

- Allow the employee to compete for positions in a concurrent RIF in the losing competitive area.

An employee has no opportunity to decline transfer with the function to a position in the same local commuting area. At its option, the gaining competitive area of a transfer of function involving one local commuting area may separate an employee who declines to report, using adverse action procedures.

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Use of RIF Procedures in the Losing Competitive Area. The losing competitive area may not conduct a RIF solely for the employees who decline to transfer with their function. At its option, the losing competitive area may include employees who decline to transfer with their function as part of a concurrent RIF conducted for other reasons.

Section H: *Employees of Gaining Competitive Area*

No Impact of the Transfer of Function on Employees of the Gaining Competitive Area without Other Organizational Changes. The transfer of function regulations do not affect employees of the gaining competitive area if the transfer does not require a RIF or other personnel actions in that organization.

Transferring Employees Compete for Positions on the Basis of Their Positions of Record. The losing competitive area transfers each employee identified for transfer with the function to the gaining competitive area on the basis of the position that the employee held prior to the transfer. **If the gaining competitive area conducts a RIF at the same time as the transfer of function, the transferred employee competes for retention on the basis of the position that the employee held prior to the transfer.**
If the gaining competitive area does not conduct a RIF at the same time as the transfer of function, the gaining competitive area must still take an appropriate personnel action (for example, reassignment) to document the transfer of the incoming employee from the position the employee held prior to the transfer to a new position in the gaining competitive area.

Rights of Transferred Employees in the Gaining Competitive Area. Competing employees identified for transfer with the function by the losing competitive area have a right to:

1. Transfer to the gaining competitive area before being separated or downgraded by RIF; and

2. Compete on equal terms with employees in the gaining competitive area in any reduction in force that takes place concurrent with, or after, the transfer of function.

Employees identified by the losing competitive area for transfer with the function compete in RIF on retention registers comprised of both themselves and employees working in the gaining competitive area at the time of transfer. A transferred employee who is reached for a RIF action in the gaining competitive area has no retention rights back to the losing competitive area.

Actual Relocation of Transferring Employees Not Necessary Before a RIF. The gaining competitive area may determine the retention rights of transferring employees in RIF conducted at the same time as the transfer of function without an actual relocation of employees from the losing competitive area. To assist in a RIF following the transfer of function, the losing competitive area may act as agent for the gaining competitive area in

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providing information to transferring employees and, if applicable, in processing lump-sum annual leave payments and severance pay.

Employees Separated by RIF Covered by RPL in Gaining Competitive Area. The gaining competitive area places each transferred employee who is separated by reduction in force on its RPL. Neither the losing competitive area nor the gaining competitive area has authority to place a transferred employee on the RPL of the losing competitive area after the employee receives a reduction in force separation notice from the gaining competitive area.

Status of Competitive Service Positions. When the position of an employee who is in the competitive service and has competitive status is moved to a new organization as part of a reorganization or transfer of function, the position remains in the competitive service during the employee's incumbency.

Section I: *Transfer for Liquidation*

Limited Rights After Transfer for Liquidation. Transfer for liquidation provides the employee with the right to transfer from the losing to the gaining competitive area when the function will be terminated or "liquidated" within 60 days in the gaining competitive area. A competing employee who is identified with a function specifically authorized at the time of transfer to continue in the gaining competitive area for no more than 60 days is not a competing employee for other positions in the gaining competitive area.

An employee identified with a liquidated function has the right to transfer to the gaining competitive area solely for the purpose of separation by RIF. An employee whose position is transferred solely for liquidation by RIF separation is placed on the RPL of the gaining, rather than the losing, competitive area.

No Right to Transfer With Terminated Function. The transfer of function regulations do not apply to the transfer of a function which is terminated in the losing competitive area, and is subsequently transferred to another competitive area for final closeout. **A competing employee whom the agency identifies with a terminated program is a competing employee in the losing competitive area if the agency chooses to conduct a RIF. Although the employee has no transfer of function rights, the agency may choose to reassign or otherwise move the employee from the losing to the gaining competitive area to perform work related to the termination of the function.**

A terminated function may continue for more than 60 days in the gaining competitive area as the agency phases out the terminated function. An employee transferred with a terminated function that will continue for more than 60 days in the gaining competitive area has the right to compete with other employees in that competitive area in the event of a RIF. If reached for RIF separation, the employee is placed on the RPL of the gaining competitive area.

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Section J: *Canvass Letters*

Purpose of Canvass Letters. The losing competitive area may use a canvass letter to ask each competing employee identified with a transferring function whether the employee will actually transfer with the function to a different local commuting area. The losing competitive area is not required to offer the employee a specific position in the transfer of function canvass letter. The canvass letter is simply an initial offer for an employee to transfer with the function to a different local commuting area.

Canvass Letters are Optional. The losing competitive area, at its option, may decide:

- Whether to issue a transfer of function canvass letter to employees;
- The format of the transfer of function canvass letter;
- How long before the transfer of function effective date to issue the canvass letter to employees; and
- How long before an employee who receives the transfer of function canvass letter must respond to the agency's request for a decision on whether or not the employee will relocate.

Canvass Letters Used Only In Geographic Transfer. The losing competitive area may issue a canvass letter if the transfer of function is based upon the movement of:

- A function from one competitive area to another competitive area that is located in a different local commuting area; or
- The entire competitive area to a different local commuting area when no other organizational change to the competitive area takes place (e.g., the transferred competitive area retains its separate identify after transfer to a different local commuting area).

Content of Canvass Letters. The losing competitive area should use the canvass letter to provide an employee identified for transfer with sufficient information to decide whether the employee wishes to transfer with the function to a gaining competitive area that is located in a different local commuting area. In the canvass letter, the losing competitive area should explain to the employee what would result from the employee's decision to accept or decline this initial offer to transfer with the function to a different local commuting area. The losing competitive area may not issue a canvass letter to an employee who is identified with a function that is not moving to a different local commuting area.

The losing competitive area should allow a reasonable period of time for the employee to make a decision on whether to accept the offer to transfer with the function to a different

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local commuting area. The losing competitive area determines what is a reasonable period of time for this purpose.
Acceptance of the Offer to Transfer. By accepting the initial offer in the canvass letter to transfer with the function, the employee simply indicates a willingness to transfer to the gaining competitive area. **An employee who accepts the offer to transfer will be in competition for positions in the gaining competitive area.**
An employee who initially accepts the offer to transfer with the function is not bound by that decision and may later change the acceptance without penalty. An employee who initially accepts the offer to transfer with the function to a different local commuting area, but later declines the offer, is not entitled to an extension in active duty status, and/or pay status.

Declination of Offer to Transfer. If the employee declines the agency's offer to transfer in the canvass letter, the losing competitive area has the right to propose the employee's separation under adverse action procedures. **By electing not to transfer with the function in the canvass letter, the employee becomes eligible for intra-agency placement assistance in the agency through the agency's Career Transition Assistance Plan (CTAP).**

An employee who receives an adverse action notice of proposed removal or a final decision letter of removal after declining an offer to transfer with the function to a different local commuting area is entitled to selection priority in other Federal agencies through the Interagency Career Transition Assistance Plan (ICTAP). An employee who declines to transfer is not eligible to be registered on the RPL for the losing competitive area. By electing not to transfer with the function in the canvass letter, the losing competitive area will not separate the employee any sooner than employees who elect in the canvass letters to transfer with the function.

Section K: *Volunteers for Transfer*

The losing competitive area may permit other employees of the agency to volunteer for transfer with the function in place of competing employees identified under Identification Method One or Identification Method Two. The gaining competitive area must agree to any transfer of volunteers since these employees have no right to transfer with the function.

Use of Volunteers is Restricted. At its option, the losing competitive area may permit other employees to volunteer for transfer with the function only if no competing employee who is identified under Identification Method One or Identification Method Two is separated or demoted solely because a volunteer transferred to the gaining competitive area in place of an employee identified with the function.

Temporary Employees May Volunteer. The losing competitive area may permit noncompeting employees in temporary positions to volunteer for transfer with the function to the gaining competitive area. The losing competitive area may allow temporary employees to volunteer for transfer with the function only if no competing employee who is identified under Identification Method One or Two is separated or

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demoted solely because a volunteer transferred to the gaining competitive area in place of the employee identified with the function. The gaining competitive area must agree to the transfer of volunteers who are temporary employees because these employees have no right to transfer with the function.

Volunteers and Retention Standing. If the total number of employees who volunteer for transfer exceeds the number of employees required to perform the function in the gaining competitive area, the losing competitive area, at its option, may give preference to the volunteers with the highest retention standing.

Section L: *Appeals and Grievances*

No Basic Right to Appeal a Transfer of Function. An employee may raise a transfer of function issue as part of an appeal to the Merit Systems Protection Board of a subsequent RIF or adverse action that the employee believes resulted from the transfer of function. **An employee has no right to appeal a transfer of function to the Board except as an issue in another appeal under the Board's jurisdiction (for example, in a RIF or an adverse action appeal).**

Transfer of function Issues in a Grievance. An employee in a bargaining unit covered by a negotiated grievance procedure with exclusive procedures for resolving any personnel action that could otherwise be appealed to the Board must use the negotiated grievance procedure in lieu of appealing the action (e.g., RIF) to the Merit Systems Protection Board.

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Chapter VI: *Glossary of Terms*

Agency. An Executive department, a Government corporation, and an independent establishment. "Agency" includes all components of an organization in the local commuting area, including an agency's Office of Inspector General. The U.S. Postal Service, Tennessee Valley Authority, and other quasi-governmental organizations, as well as legislative and judicial branch agencies, are not considered "agencies" under the CTAP/ICTAP regulations.

Assignment Right. The right of an employee to be assigned by bump or retreat in the second round of competition to a position in a different competitive level held by an employee with lower standing on a retention register.

Bump. The assignment of an employee to a position held by another employee in a lower group, or in a lower subgroup within the same tenure group.

Change in Duty Station. The movement of an employee's office to a new geographic location with no other change. The intra-agency geographic relocation of personnel documented by a "change in duty station" personnel action may or may not meet the definition of a transfer of function under the regulations.

Competing Employee. An employee in tenure group I, II, or III in either the competitive or the excepted service.

Competitive Area. The organizational and geographic boundaries in which employees compete in a RIF. Agencies have the option of establishing a competitive area comprised only of pay band positions when the competitive area would otherwise include pay band positions and other positions not covered by a pay band.

Competitive Level. A group of positions in the same grade and classification series that have similar duties and other requirements.

Competitive Service. All civil service positions in the executive branch, except (1) positions which are specifically excepted from the competitive service by or under statute; (2) positions to which appointments are made by nomination for confirmation by the Senate, unless the Senate otherwise directs; and (3) positions in the Senior Executive Service

Component. The first major subdivision of an agency that is separately organized and clearly distinguished from other components in work function and operation. For example, the Internal Revenue Service under the Department of the Treasury, the National Park Service under the Department of the Interior, and the Department of the Army under the Department of Defense.

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Days. Calendar days.

Displaced Employee. A current career or career-conditional competitive service employee in tenure group I or II who holds a position at GS-15 or below (or equivalent), and has received:

- A specific notice of separation by RIF; or
- A written notice of proposed removal (including a final decision) by adverse action for declining a directed reassignment, transfer of function, or other similar reason, outside of the employee's current local commuting area.

"Displaced employee" also means a current Senior Executive Service member serving in the executive branch on an excepted service appointment without time limit who is eligible for both noncompetitive appointment and special selection priority by statute for positions in the competitive service, and has received:

- A specific notice of separation by RIF; or
- A written notice of proposed removal (including a final decision) by adverse action for declining a directed reassignment or transfer of function outside of the employee's current local commuting area, or for another similar reason.

Eligible Employee. A displaced employee, or a surplus employee who also meets the qualifying conditions for selection priority under CTAP or ICTAP.

Excepted Service. Civil service positions that are not in the competitive service or the Senior Executive Service.

Furlough. Under the RIF regulations, the placement of an employee in a temporary nonduty and nonpay status for more than 30 consecutive calendar days, or more than 22 workdays if done on a noncontinuous basis, but not more than 1 year when the action is based on one of the RIF reasons and is not in accordance with pre-established conditions of employment.

"Furlough" under the adverse action regulations means the placement of an employee in a temporary nonduty and nonpay status for 30 continuous days or less, or 22 discontinuous workdays or less.

Local Commuting Area. The geographic area that usually constitutes one area for employment purposes, as determined by the agency. It includes any population center (or two or more neighboring ones) and the surrounding localities in which people live and can reasonably be expected to travel back and forth daily to their usual employment.

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Mass Transfer. The movement of an employee and his or her position to a different agency when an organizational change (such as a transfer of function) takes place, and there is no change in the employee's position, grade, or pay.

RIF Notice. A written communication from an agency official to an individual employee stating that the employee will be reached for a RIF action.

Rating of Record. See section 430.203 of title 5, Code of Federal Regulations. For an employee subject to chapter 43 of title 5, United States Code, or subject to part 430 of title 5, Code of Federal Regulations, "rating of record" means the performance rating—

1) prepared at the end of an appraisal period for performance of agency-assigned duties over the entire period and the subsequent issuance of a summary level (as authorized by section 430.208(d) of title 5, Code of Federal Regulations), or

2) that results because of a within-grade increase decision (as authorized by section 531.404(a)(1) of title 5, Code of Federal Regulations).

For an employee not subject to chapter 43 of title 5, United States Code, or to part 430 of title 5, Code of Federal Regulations, "rating of record" means the officially designated performance rating, as provided for in the agency's appraisal system, that is considered to be an "equivalent rating of record" under section 430.201(c) of title 5, Code of Federal Regulations.

Realignment. The movement of an employee and his or her position when an organization change (such as reorganization or transfer of function) occurs, the employee stays in the same agency, and there is no change in the employee's position, grade or pay.

Reorganization. The planned elimination, addition, or redistribution of functions or duties in an organization.

Representative Rate. (1) The fourth step of the grade for a position under the General Schedule, using the locality rate authorized by section 5304 of title 5, United States Code, and subpart F of part 531 of title 5, Code of Federal Regulations, for General Schedule positions; (2) the prevailing rate for a position under the Federal Wage System (FWS) or similar wage-determining procedure; (3) for positions in a pay band, the rate or rates the agency designates as representative of that pay band or competitive levels within the pay band, including any applicable locality payment authorized by section 5304 of title 5, United States Code, and subpart F of part 531 of title 5, Code of Federal Regulations, or equivalent payment under other legal authority; and (4) for other positions (e.g., positions in an unclassified pay system), the rate designated by the agency as representative of the position, including any applicable locality payment authorized by section 5304 of title 5, United States Code, and subpart F of part 531 of title 5, Code of Federal Regulations, or equivalent payment under other legal authority.

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Retention Register. A list of competing employees within a competitive level who are grouped by tenure, veterans' preference, and length of service augmented by performance credit.

Retention Service Date. A temporal designation which an agency uses to place an employee on a retention register and determine an employee's assignment rights during a RIF. Agencies calculate this based upon an employee's length of creditable service (both civilian and military) and performance ratings.

Retention Standing. An employee's relative standing on a retention register based on tenure, veterans' preference, and length of service augmented by performance credit.

Retreat. The assignment of an employee to a position held by another employee with lower retention standing in the same subgroup in a different competitive level.

Round of Competition. The different stages in which employees compete for retention. In first-round competition, employees compete to stay in the competitive level. In the second round of competition, employees compete for assignment to positions in different competitive levels.

Special Selection Priority. The regulatory right of an eligible surplus or displaced individual to a position under CTAP or ICTAP. An employee eligible for this selection priority must be selected over any other internal or external candidate for vacancies in the local commuting area if the individual applies for the vacancy, and the agency finds that the individual is well-qualified for the vacancy.

Subgroup Standing. The employee's relative standing on a retention register based on tenure group and veterans' preference subgroup. It does not take into account length of service and performance credit.

Surplus Employee. See definition of "displaced employee." "Surplus employee" does not include an employee displaced from an Administrative Law Judge or Senior-Level (SL) position because these positions are above GS-15.

Tenure. The period of time an employee may reasonably expect to serve under a current appointment.

Transfer of Function. (1) The transfer of the performance of a continuing function from one competitive area to one or more different competitive areas, except when the function involved is virtually identical to functions already being performed in the other competitive area(s); or (2) the movement of the competitive area in which the function is performed to another local commuting area.

Undue Interruption. A degree of interruption that would prevent the completion of required work by the employee 90 days after the employee has been placed in a different position in first or second-round RIF competition. The 90-day standard should be

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considered within the allowable limits of time and quality, taking into account the pressures of priorities, deadlines, and other demands. However, a work program would generally not be unduly interrupted even if an employee needed more than 90 days after the RIF to perform the optimal quality or quantity of work. The 90-day standard may be extended if placement is made in first or second-round RIF competition to a low-priority program, or to a vacant position.

Vacancy. A competitive service position that the agency is filling for a total of 121 days or more, including all extensions. "Days" in the definition of "vacancy" means the number of calendar days for which the position is established, not the number of actual days the incumbent will work. This definition applies to CTAP/ICTAP regardless of whether the agency issues a specific vacancy announcement for the position.

Well-Qualified Employee. An eligible employee who possesses knowledge, skills, and abilities that clearly exceed the minimum qualification requirements for the vacant position. A well-qualified employee:

1. Will not necessarily meet the agency's definition of highly or best qualified, when evaluated against other candidates who apply for a particular vacancy;

2. Must meet all applicable conditions, as determined by the agency in a uniform and consistent process;

3. Meets the basic qualification standards and eligibility requirements for a position, including any medical or physical qualifications, suitability, and minimum educational and experience requirements;

4. Meets one of the following two qualification requirements:

   - all selective factors where applicable, and appropriate quality rating factor levels as determined by the agency; or

   - rated by the agency to be above minimally qualified in accordance with the agency's specific rating and ranking process;

5. Is physically qualified, with reasonable accommodation where appropriate, to perform the essential duties of the position;

6. Meets any special qualifying conditions that OPM has approved for the position; and;

7. Is able to satisfactorily perform the duties of the position upon entry.

An agency may not set selective and quality ranking factors that are so restrictive that the result interferes with the goal of placing displaced employees. Factors expressed solely in terms of grade point average, class standing, and/or academic credentials or courses

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that exceed minimum qualification standards are overly restrictive and cannot be used. In the absence of selective and quality ranking factors, selecting officials must document the job-related reasons the eligible employee is or is not considered to be well-qualified.

A well-qualified employee who is rated by the agency to be above minimally qualified in accordance with the agency's specific rating and ranking process may or may not meet the agency's test for highly qualified, but would in fact exceed the minimum qualifications for the position. Under examining procedures where a specific point score (such as 70 points) is assigned to candidates meeting minimum qualification requirements, a candidate would have to score higher than this minimum score in order to be considered well-qualified.

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U.S. Office of Personnel Management

Employee Services

1900 E Street, NW, Washington, DC 20415

OPM.GOV

ES/SWP-02803-03-17

Message

From: Gray, Linda [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7A5016C79618431E9EAE2309EBD963A9-GRAY, LINDA]
Sent: 7/7/2017 1:38:46 PM
To: Burbach, Joseph [burbach.joseph@epa.gov]
Subject: FW: EPA Final VERA/VSIP Request--email 1 of 3
Attachments: EPA Signed Request for VERA VSIP July2017.pdf; EPA Prog and Reg Business Cases Final 7-6-17.docx; Copy of Targetd positions office submissions 7-6-17.xlsx

Importance: High

Ooops. Here's all three together.

Linda R. Gray
Director, Office of Human Resources
Office of Administration and Resources Management
Environmental Protection Agency
(202) 564-4606 phone
(202) 564-4613 fax

From: Hart, Debbi
Sent: Friday, July 07, 2017 9:11 AM
To: Coomber, Robert <coomber.robert@epa.gov>; Corbett, Krysti <Corbett.Krysti@epa.gov>; Engebretson, Lizabeth <Engebretson.Lizabeth@epa.gov>; Bonner, Jerome <Bonner.Jerome@epa.gov>; Taylor, Jeremy <Taylor.Jeremy@epa.gov>; Helm, Arron <Helm.Arron@epa.gov>; Peabody, Hitch <Peabody.Hitch@epa.gov>
Cc: Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Hunt, Loretta <Hunt.Loretta@epa.gov>; Parker, Gary <parker.gary@epa.gov>
Subject: FW: EPA Final VERA/VSIP Request--email 1 of 3
Importance: High

All—

As submitted in final to OPM/OMB (we had to break it into three pieces so that OPM will receive it.) Arron please note that Loretta made minor tweaks to targeted positions chart so the attached version is slightly different than the one I sent yesterday. I will let you know what I hear from OPM and OMB--fingers crossed for quick final approval! Let me know if there are questions. Thank you! Debbi

---

From: Hart, Debbi
Sent: Friday, July 07, 2017 8:52 AM
To: Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>; Coleman, Darrell E <Darrell.Coleman@opm.gov>; Thornton, Cathryn <Cathryn.Thornton@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; Mulligan, James S. EOP/OMB Ex. 6 - Personal Privacy 'Grossman, Andrea L. EOP/OMB' Ex. 6 - Personal Privacy
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Parker, Gary <parker.gary@epa.gov>; Loretta Hunt <Hunt.Loretta@epa.gov>
Subject: EPA Final VERA/VSIP Request--email 1 of 3
Importance: High

Greetings All-

Thank you for your assistance with this effort. As for our informal request, we are submitting our final package in three pieces. Attached is our signed VERA/VSIP template request. This will be followed by our final business case and targeted positions table. Please let us know if there are any questions. Thanks again-- Debbi

Debbi Hart
Director
Policy, Planning & Training Division
OHR, OARM
USEPA
202.564.2011
hart.debbi@epa.gov

****

Message

From: Hunt, Loretta [Hunt.Loretta@epa.gov]
Sent: 6/20/2017 6:45:19 PM
To: Michael_Hickey Ex. 6 - Personal Privacy
CC: Hart, Debbi [Hart.Debbi@epa.gov]; Showman, John [Showman.John@epa.gov]
Subject: FW: EPA Draft VERA/VSIP Request Email 3 of 3
Attachments: EPA Organization Charts.pdf; V_V Summary Slides for Leadership 6.16.17.pptx

Final email

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Hunt, Loretta
Sent: Friday, June 16, 2017 7:25 PM
To: Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>; Coleman, Darrell E <Darrell.Coleman@opm.gov>; Thornton, Cathryn <Cathryn.Thornton@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; Mulligan, James S. EOP/OMB Ex. 6 - Personal Privacy
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Hart, Debbi <Hart.Debbi@epa.gov>; Parker, Gary <parker.gary@epa.gov>
Subject: Re: EPA Draft VERA/VSIP Request Email 3 of 3

EPA organization charts and agency level analysis documents.

From: Hunt, Loretta
Sent: Friday, June 16, 2017 7:12 PM
To: Snowden, Gregory A; Mahoney, Michael J; Coleman, Darrell E; Thornton, Cathryn; Butler, Monica; Mulligan, James S. EOP/OMB
Cc: Vizian, Donna; Showman, John; Gray, Linda; Carpenter, Wesley; Hart, Debbi; Parker, Gary
Subject: Re: EPA Draft VERA/VSIP Request Email 2 of 3

EPA's targeted position spreadsheet.

From: Hunt, Loretta
Sent: Friday, June 16, 2017 6:55 PM
To: Snowden, Gregory A; Mahoney, Michael J; Coleman, Darrell E; Thornton, Cathryn; Butler, Monica; Mulligan, James S. EOP/OMB
Cc: Vizian, Donna; Showman, John; Gray, Linda; Carpenter, Wesley; Hart, Debbi; Parker, Gary
Subject: EPA Draft VERA/VSIP Request Email 1 of 3

The U.S. Environmental Protection Agency is submitting a draft VERA/VSIP request to OPM and OMB for review and comment. The agency is submitting one overall request but specific details are included for each program and regional office since the needs of each organization varies. The agency is submitting the following documentation:

1. EPA's VSIP Request (.pdf)
2. EPA's VERA Request (.pdf)
3. Business cases (all contained in one Word file; the Table of Contents provides direct links to each of our 22 business cases)
4. Targeted positions spreadsheets for each office (Excel file)
5. Organization charts (one .pdf file)
6. Agency level analysis/summary slides (PowerPoint)

We will send three emails containing the agency's draft request and supporting documentation.

Should you have any questions or concerns about EPA's request, you may contact me at hunt.loretta@epa.gov; (202)564-6963 or Debbi Hart at hart.debbi@epa.gov; (202) 564-2011.

Thank you in advance for your assistance with EPA's workforce reshaping efforts.

Message

From: Hunt, Loretta [Hunt.Loretta@epa.gov]
Sent: 8/3/2017 2:55:03 PM
To: Vizian, Donna [Vizian.Donna@epa.gov]
CC: Hart, Debbi [Hart.Debbi@epa.gov]
Subject: FW: EPA's VERA/VSIP Request -
Attachments: EPA Prog and Reg Business Cases Final 7-31-17 agency flex up to caps adjust.docx

Donna, in case you still want to review R8's business case. The EPS section is on pg. 50, second paragraph.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Hunt, Loretta
Sent: Thursday, August 03, 2017 9:55 AM
To: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Parker, Gary <parker.gary@epa.gov>; Gray, Linda <gray.linda@epa.gov>
Subject: RE: EPA's VERA/VSIP Request -

Donna, I've not heard back from OPM on whether or not the agency can move forward with allocation flexibility. Can you please reach out to OPM?

Specifically, **Ex. 5 - Deliberative Process** already have this flexibility. However, I figured it would make sense to just ask if all programs and regions can have the flexibility.

I've updated the agency's business case (pg. 3, last paragraph) to incorporate the language from my 7/31/17 email to OPM and OMB.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Hunt, Loretta
Sent: Monday, July 31, 2017 3:57 PM
To: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Parker, Gary <parker.gary@epa.gov>; Coomber, Robert <coomber.robert@epa.gov>
Subject: FW: EPA's VERA/VSIP Request -
Importance: High

Just to keep everyone in the loop,

Offices are starting to ask for allocation flexibility (i.e., Office A received 5 applications, Office B received 2, the AA-ship or Region wants to shift some of Office B's surplus slots to A).

Generally, OPM considers this a minor adjustment as long as nothing else changes (no new positions, no change in dates, no increase in maximum offers).

I've asked OPM if we can just do it at the agency level instead of asking for multiple adjustments for each region or program office.

I'll let you know the outcome.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Hunt, Loretta
Sent: Monday, July 31, 2017 3:38 PM
To: Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>; Grossman, Andrea L. EOP/OMB Ex. 6 - Personal Privacy Hickey, Mike J. EOP/OMB Ex. 6 - Personal Privacy
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Parker, Gary <parker.gary@epa.gov>
Subject: RE: EPA's VERA/VSIP Request -
Importance: High

Gregory/Mike,

The agency's OCFO has now requested the same flexibility. Our application window just closed and the agency received less than applications.

Can we modify the business case at the agency level so I don't have to keep running to OPM and OMB for adjustments?

I could add the following to the introduction section:

Ex. 5 - Deliberative Process

Thanks in advance for your review and assistance.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division

Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Hunt, Loretta
Sent: Friday, July 28, 2017 4:26 PM
To: Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>; Grossman, Andrea L. EOP/OMB Ex. 6 - Personal Privacy Hickey, Mike J. EOP/OMB Ex. 6 - Personal Privacy
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Parker, Gary <parker.gary@epa.gov>
Subject: Re: EPA's VERA/VSIP Request -

Gregory/Mike,

EPA would like to request adjustment flexibility for our Region 6 office:

Ex. 5 - Deliberative Process

The language has been added to the agency's business case (attached, pg. 44)

No new positions are being added and we're not asking to change the date of the agency's authority.

Please provide approval or disapproval of this change.

Thank you for your assistance and have a good weekend.

From: Snowden, Gregory A <Gregory.Snowden@opm.gov>
Sent: Thursday, July 13, 2017 2:39 PM
To: Hunt, Loretta; Mahoney, Michael J; Grossman, Andrea L. EOP/OMB; Hickey, Mike J. EOP/OMB
Cc: Hart, Debbi
Subject: RE: EPA's VERA/VSIP Request -

Hello Loretta,

As long as the VERA and VSIP authorities are NOT amended to add new positions or the current dates extended, we can include the updated business plan in the current case file. Thanks.

Gregory Snowden
OPM

From: Hunt, Loretta [mailto:Hunt.Loretta@epa.gov]
Sent: Thursday, July 13, 2017 9:42 AM
To: Mahoney, Michael J; Snowden, Gregory A; Grossman, Andrea L. EOP/OMB; Hickey, Mike J. EOP/OMB
Cc: Hart, Debbi
Subject: RE: EPA's VERA/VSIP Request -
Importance: High

Gregory/Mike,

The Office of Research and Development pointed out that we forgot to include in the business case their request to adjust offers amongst offices as long as they do not exceed their max offers of Ex. 5 - Deliberative Process

Does the addition of this language require an amendment?

The addition is in the third paragraph, pg. 29 (attached). It now reads:

Ex. 5 - Deliberative Process

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Mahoney, Michael J [mailto:Mike.Mahoney@opm.gov]
Sent: Monday, July 10, 2017 2:32 PM
To: Hunt, Loretta <Hunt.Loretta@epa.gov>; Snowden, Gregory A <Gregory.Snowden@opm.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>
Subject: RE: EPA's VERA/VSIP Request

Here tis'...

-mike

From: Hunt, Loretta [mailto:Hunt.Loretta@epa.gov]
Sent: Monday, July 10, 2017 11:13 AM
To: Mahoney, Michael J; Snowden, Gregory A
Cc: Hart, Debbi
Subject: EPA's VERA/VSIP Request
Importance: High

Mike/Gregory,

Is the approval for EPA's request being signed today? Thanks.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division

Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

Message

From: Hart, Debbi [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=62AFB40F2BF1484D933F2CE207EB20E7-HART, DEBRA]
Sent: 7/11/2017 2:24:31 PM
To: Kuhns, Jason [kuhns.jason@epa.gov]
Subject: FW: EPA Final VERA/VSIP Request--updated information and responses
Attachments: EPA Prog and Reg Business Cases Final 7-6-17 rev bud tables 7-7-17.docx; VERA VSIP data issues round 2 OMB _Response from EPAJuly2017.docx; Copy of Targetd positions office submissions 7-7-17.xlsx

Importance: High

Debbi Hart
Director
Policy, Planning & Training Division
OHR, OARM
USEPA
202.564.2011
hart.debbi@epa.gov

****

From: Hart, Debbi
Sent: Friday, July 07, 2017 3:47 PM
To: 'Grossman, Andrea L. EOP/OMB' Ex. 6 - Personal Privacy ; Coleman, Darrell E <Darrell.Coleman@opm.gov>; Thornton, Cathryn <Cathryn.Thornton@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Parker, Gary <parker.gary@epa.gov>; Hunt, Loretta <Hunt.Loretta@epa.gov>; Hickey, Mike J. EOP/OMB Ex. 6 - Personal Privacy Remmers, Janet <Remmers.Janet@epa.gov>; Terris, Carol <Terris.Carol@epa.gov>
Subject: RE: EPA Final VERA/VSIP Request--updated information and responses
Importance: High

Andrea-

Please see the updated business case/targeted positions template and our responses to your outstanding questions, all attached. We are standing by for questions. Thanks again. Debbi

Debbi Hart
Director
Policy, Planning & Training Division
OHR, OARM
USEPA
202.564.2011
hart.debbi@epa.gov

****

From: Grossman, Andrea L. EOP/OMB Ex. 6 - Personal Privacy
Sent: Friday, July 07, 2017 12:19 PM
To: Hart, Debbi <Hart.Debbi@epa.gov>; Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J

<Mike.Mahoney@opm.gov>; Coleman, Darrell E <Darrell.Coleman@opm.gov>; Thornton, Cathryn <Cathryn.Thornton@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Parker, Gary <parker.gary@epa.gov>; Hunt, Loretta <Hunt.Loretta@epa.gov>; Hickey, Mike J. EOP/OMB Ex. 6 - Personal Privacy
Subject: RE: EPA Final VERA/VSIP Request--email 3 of 3

Debbi,

Thank you for this response. I'm attaching an updated list of outstanding data/consistency issues.

Ex. 5 - Deliberative Process

Do you also have a written response you can provide for the other two non-data questions I sent over on 6/29?

Thank you,

Andrea Grossman
Program Examiner, OMB Environment Branch
202-395-4756

From: Hart, Debbi [mailto:Hart.Debbi@epa.gov]
Sent: Friday, July 7, 2017 8:57 AM
To: Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>; Coleman, Darrell E <Darrell.Coleman@opm.gov>; Thornton, Cathryn <Cathryn.Thornton@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; Mulligan, James S. EOP/OMB Ex. 6 - Personal Privacy Grossman, Andrea L. EOP/OMB Ex. 6 - Personal Privacy
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Parker, Gary <parker.gary@epa.gov>; Hunt, Loretta <Hunt.Loretta@epa.gov>
Subject: EPA Final VERA/VSIP Request--email 3 of 3

EPA's final targeted positions chart. I will contact you to ensure receipt of all three pieces. Debbi

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From: Hart, Debbi
Sent: Friday, July 07, 2017 8:54 AM
To: 'Snowden, Gregory A' <Gregory.Snowden@opm.gov>; 'Mahoney, Michael J' <Mike.Mahoney@opm.gov>; 'Coleman, Darrell E' <Darrell.Coleman@opm.gov>; 'Thornton, Cathryn' <Cathryn.Thornton@opm.gov>; 'Butler, Monica' <Monica.Butler@opm.gov>; 'Mulligan, James S. EOP/OMB' Ex. 6 - Personal Privacy 'Grossman, Andrea L. EOP/OMB' Ex. 6 - Personal Privacy
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Parker, Gary <parker.gary@epa.gov>; Loretta Hunt <Hunt.Loretta@epa.gov>
Subject: EPA Final VERA/VSIP Request--email 2 of 3

EPA's final business case (attached). DH

From: Hart, Debbi
Sent: Friday, July 07, 2017 8:52 AM
To: Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>; Coleman, Darrell E <Darrell.Coleman@opm.gov>; Thornton, Cathryn <Cathryn.Thornton@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; Mulligan, James S. EOP/OMB Ex. 6 - Personal Privacy 'Grossman, Andrea L. EOP/OMB' Ex. 6 - Personal Privacy
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Parker, Gary <parker.gary@epa.gov>; Loretta Hunt <Hunt.Loretta@epa.gov>
Subject: EPA Final VERA/VSIP Request--email 1 of 3
Importance: High

Greetings All-

Thank you for your assistance with this effort. As for our informal request, we are submitting our final package in three pieces. Attached is our signed VERA/VSIP template request. This will be followed by our final business case and targeted positions table. Please let us know if there are any questions. Thanks again-- Debbi

Debbi Hart
Director
Policy, Planning & Training Division
OHR, OARM
USEPA
202.564.2011
hart.debbi@epa.gov

****

Message

From: Hunt, Loretta [Hunt.Loretta@epa.gov]
Sent: 6/20/2017 6:43:49 PM
To: Michael_Hickey@omb.eop.gov
CC: Hart, Debbi [Hart.Debbi@epa.gov]; Showman, John [Showman.John@epa.gov]
Subject: FW: EPA Draft VERA/VSIP Request Email 2 of 3
Attachments: EPA Targeted Positions.xlsx

Second email

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Hunt, Loretta
Sent: Friday, June 16, 2017 7:13 PM
To: Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>; Coleman, Darrell E <Darrell.Coleman@opm.gov>; Thornton, Cathryn <Cathryn.Thornton@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; Mulligan, James S. EOP/OMB Ex. 6 - Personal Privacy
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Hart, Debbi <Hart.Debbi@epa.gov>; Parker, Gary <parker.gary@epa.gov>
Subject: Re: EPA Draft VERA/VSIP Request Email 2 of 3

EPA's targeted position spreadsheet.

From: Hunt, Loretta
Sent: Friday, June 16, 2017 6:55 PM
To: Snowden, Gregory A; Mahoney, Michael J; Coleman, Darrell E; Thornton, Cathryn; Butler, Monica; Mulligan, James S. EOP/OMB
Cc: Vizian, Donna; Showman, John; Gray, Linda; Carpenter, Wesley; Hart, Debbi; Parker, Gary
Subject: EPA Draft VERA/VSIP Request Email 1 of 3

The U.S. Environmental Protection Agency is submitting a draft VERA/VSIP request to OPM and OMB for review and comment. The agency is submitting one overall request but specific details are included for each program and regional office since the needs of each organization varies. The agency is submitting the following documentation:

1. EPA's VSIP Request (.pdf)
2. EPA's VERA Request (.pdf)
3. Business cases (all contained in one Word file; the Table of Contents provides direct links to each of our 22 business cases)
4. Targeted positions spreadsheets for each office (Excel file)

5. Organization charts (one .pdf file)
6. Agency level analysis/summary slides (PowerPoint)

We will send three emails containing the agency's draft request and supporting documentation.

Should you have any questions or concerns about EPA's request, you may contact me at hunt.loretta@epa.gov; (202)564-6963 or Debbi Hart at hart.debbi@epa.gov; (202) 564-2011.

Thank you in advance for your assistance with EPA's workforce reshaping efforts.

Message

From: Hunt, Loretta [Hunt.Loretta@epa.gov]
Sent: 6/19/2017 3:35:58 PM
To: Snowden, Gregory A [Gregory.Snowden@opm.gov]; Mahoney, Michael J [Mike.Mahoney@opm.gov]; Coleman, Darrell E [Darrell.Coleman@opm.gov]; Thornton, Cathryn [Cathryn.Thornton@opm.gov]; Butler, Monica [Monica.Butler@opm.gov]; Mulligan, James S. Ex. 6 - Personal Privacy
CC: Hart, Debbi [Hart.Debbi@epa.gov]
Subject: FW: EPA Draft VERA/VSIP Request Email 3 of 3
Attachments: EPA Organization Charts.pdf; V_V Summary Slides for Leadership 6.16.17.pptx

Gregory, here is the third email with attachments. OPM and OMB should have a total of 6 files from EPA.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Hunt, Loretta
Sent: Friday, June 16, 2017 7:25 PM
To: Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>; Coleman, Darrell E <Darrell.Coleman@opm.gov>; Thornton, Cathryn <Cathryn.Thornton@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; Mulligan, James S. EOP/OMB Ex. 6 - Personal Privacy
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Showman, John <Showman.John@epa.gov>; Gray, Linda <gray.linda@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Hart, Debbi <Hart.Debbi@epa.gov>; Parker, Gary <parker.gary@epa.gov>
Subject: Re: EPA Draft VERA/VSIP Request Email 3 of 3

EPA organization charts and agency level analysis documents.

From: Hunt, Loretta
Sent: Friday, June 16, 2017 7:12 PM
To: Snowden, Gregory A; Mahoney, Michael J; Coleman, Darrell E; Thornton, Cathryn; Butler, Monica; Mulligan, James S. EOP/OMB
Cc: Vizian, Donna; Showman, John; Gray, Linda; Carpenter, Wesley; Hart, Debbi; Parker, Gary
Subject: Re: EPA Draft VERA/VSIP Request Email 2 of 3

EPA's targeted position spreadsheet.

From: Hunt, Loretta
Sent: Friday, June 16, 2017 6:55 PM
To: Snowden, Gregory A; Mahoney, Michael J; Coleman, Darrell E; Thornton, Cathryn; Butler, Monica; Mulligan, James S. EOP/OMB
Cc: Vizian, Donna; Showman, John; Gray, Linda; Carpenter, Wesley; Hart, Debbi; Parker, Gary
Subject: EPA Draft VERA/VSIP Request Email 1 of 3

The U.S. Environmental Protection Agency is submitting a draft VERA/VSIP request to OPM and OMB for review and comment. The agency is submitting one overall request but specific details are included for each program and regional office since the needs of each organization varies. The agency is submitting the following documentation:

1. EPA's VSIP Request (.pdf)
2. EPA's VERA Request (.pdf)
3. Business cases (all contained in one Word file; the Table of Contents provides direct links to each of our 22 business cases)
4. Targeted positions spreadsheets for each office (Excel file)
5. Organization charts (one .pdf file)
6. Agency level analysis/summary slides (PowerPoint)

We will send three emails containing the agency's draft request and supporting documentation.

Should you have any questions or concerns about EPA's request, you may contact me at hunt.loretta@epa.gov; (202)564-6963 or Debbi Hart at hart.debbi@epa.gov; (202) 564-2011.

Thank you in advance for your assistance with EPA's workforce reshaping efforts.

Message

From: Hitchens, Lynnann [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=76CC2F6436CF45B89D2A09AB6F9FDFB5-HITCHENS, LYNNANN]
Sent: 6/30/2017 6:51:00 PM
To: juliana_crump Ex. 6 - Personal Privacy
CC: Bell, Matthew [Bell.Matthew@epa.gov]; Vizian, Donna [Vizian.Donna@epa.gov]
Subject: Submission of EPA Government Reform Materials
Attachments: EPA Reform Plan 6.30.17.xlsx; EPA Near-Term Workforce Actions 6 30 2017.xlsx

Juliana –
This email serves as confirmation that I have submitted the required documents on behalf of the EPA:

Via MAX Community, I submitted:

1) EPA's Plan to Maximize Employee Performance
2) EPA Reform Plan Presentation
3) Draft EPA Strategic Plan Framework

Via MAX Collect, I submitted:

1) EPA Near-Term Workforce Actions (6 actions)
2) High-level Agency Reform Plan draft (22 actions)

I have attached the Excel Spreadsheets for the last two items. Please let me know if there is any problem with the upload, or you need further information.

Thanks,

Lynnann

Lynnann Hitchens
Acting Director, Office of Resources, Operations and Management
Office of Administration and Resources Management
P: 202-564-3184
M: Ex. 6 - Personal Privacy

Message

From: Hunt, Loretta [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1E5B5B67E200442F8ECACFC0EA2B2771-LHUNT]
Sent: 6/30/2017 4:17:38 PM
To: Snowden, Gregory A [Gregory.Snowden@opm.gov]; Mahoney, Michael J [Mike.Mahoney@opm.gov]
CC: Hart, Debbi [Hart.Debbi@epa.gov]; Grossman, Andrea L. EOP/OMB Ex. 5 - Deliberative Process Mulligan, James S. EOP/OMB Ex. 5 - Deliberative Process
BCC: Schulman, Marvin [Schulman.Marvin@epa.gov]; McNeal, Detha [McNeal.Detha@epa.gov]; Kuhns, Jason [Kuhns.Jason@epa.gov]; Parker, Gary [parker.gary@epa.gov]
Subject: Re: EPA's Responses to OPM's Questions on VERA-VSIP Email 1 of 2
Attachments: EPA Responses to OPM for VERA-VSIP.doc; EPA Prog and Reg Business Cases 6-29-17 ver 5.docx

Gregory/Mike,

Please see EPA's responses to OPM's questions. I modified the spreadsheet and business case documents slightly too. I am out of the office until 7/5, so please refer any questions to Debbi Hart (and copy me). Thanks.

From: Hunt, Loretta
Sent: Thursday, June 29, 2017 9:13 PM
To: Snowden, Gregory A; Mahoney, Michael J
Cc: Hart, Debbi
Subject: RE: EPA Draft VERA/VSIP Request Email 2 of 3 - OPM's Responses to Draft Targeted Positions In 22 Offices-- 6-29-2017

Greg/Mike,

Based on our discussion, it seems like OPM isn't expecting a long-drawn out explanation re: how EPA plans to restructure positions. Would it be okay to provide an agency-level description of restructuring rather than amending each region/program's section?

For example:

For all positions covered by EPA's request, if a position is vacated under VERA/VSIP the organization must restructure the position as follows before refilling the position:

- *Change from supervisory to non-supervisory.*
- *Decrease the grade and/or full performance level (i.e., at least one grade level lower than the current position).*
- *Change the series of the position.*
- *Significantly change the duties of the position if the series and grade are to remain the same (i.e., the incumbent who vacated could not be expected to learn how to perform these new duties within a reasonable amount of time. The servicing Human Resources Shared Service Center will determine if the change in duties are significant.*

This is the actual criteria the agency uses when tracking post-VERA/VSIP hires to ensure programs and regions are adhering to the plans they put forth to reshape their workforce.

I will provide responses to the other comments from Greg and the Team but this seemed like an easy (I hope) fix. Let me know what you think. Thanks.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Snowden, Gregory A [mailto:Gregory.Snowden@opm.gov]
Sent: Thursday, June 29, 2017 1:46 PM
To: Hunt, Loretta <Hunt.Loretta@epa.gov>
Cc: Coleman, Darrell E <Darrell.Coleman@opm.gov>; Butler, Monica <Monica.Butler@opm.gov>; Hart, Debbi <Hart.Debbi@epa.gov>
Subject: EPA Draft VERA/VSIP Request Email 2 of 3 - OPM's Responses to Draft Targeted Positions In 22 Offices-- 6-29-2017

Good afternoon Loretta,

Attached please find OPM's comments/responses to EPA's Draft Targeted Positions under the VSIP plan for 22 offices. Thank you.

Gregory Snowden
OPM

From: Hunt, Loretta [mailto:Hunt.Loretta@epa.gov]
Sent: Friday, June 16, 2017 7:13 PM
To: Snowden, Gregory A; Mahoney, Michael J; Coleman, Darrell E; Thornton, Cathryn; Butler, Monica; Mulligan, James S. EOP/OMB
Cc: Vizian, Donna; Showman, John; Gray, Linda; Carpenter, Wesley; Hart, Debbi; Parker, Gary
Subject: Re: EPA Draft VERA/VSIP Request Email 2 of 3

EPA's targeted position spreadsheet.

From: Hunt, Loretta
Sent: Friday, June 16, 2017 6:55 PM
To: Snowden, Gregory A; Mahoney, Michael J; Coleman, Darrell E; Thornton, Cathryn; Butler, Monica; Mulligan, James S. EOP/OMB
Cc: Vizian, Donna; Showman, John; Gray, Linda; Carpenter, Wesley; Hart, Debbi; Parker, Gary
Subject: EPA Draft VERA/VSIP Request Email 1 of 3

The U.S. Environmental Protection Agency is submitting a draft VERA/VSIP request to OPM and OMB for review and comment. The agency is submitting one overall request but specific details are included for each program and regional office since the needs of each organization varies. The agency is submitting the following documentation:

1. EPA's VSIP Request (.pdf)
2. EPA's VERA Request (.pdf)
3. Business cases (all contained in one Word file; the Table of Contents provides direct links to each of our 22 business cases)
4. Targeted positions spreadsheets for each office (Excel file)

5. Organization charts (one .pdf file)
6. Agency level analysis/summary slides (PowerPoint)

We will send three emails containing the agency's draft request and supporting documentation.

Should you have any questions or concerns about EPA's request, you may contact me at hunt.loretta@epa.gov; (202)564-6963 or Debbi Hart at hart.debbi@epa.gov; (202) 564-2011.

Thank you in advance for your assistance with EPA's workforce reshaping efforts.

Message

From: Hunt, Loretta [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1E5B5B67E200442F8ECACFC0EA2B2771-LHUNT]
Sent: 6/16/2017 11:24:49 PM
To: Snowden, Gregory A [Gregory.Snowden@opm.gov]; Mahoney, Michael J [Mike.Mahoney@opm.gov]; Coleman, Darrell E [Darrell.Coleman@opm.gov]; Thornton, Cathryn [Cathryn.Thornton@opm.gov]; Butler, Monica [Monica.Butler@opm.gov]; Mulligan, James S. EOP/OMB Ex. 6 - Personal Privacy
CC: Vizian, Donna [Vizian.Donna@epa.gov]; Showman, John [Showman.John@epa.gov]; Gray, Linda [gray.linda@epa.gov]; Carpenter, Wesley [Carpenter.Wesley@epa.gov]; Hart, Debbi [Hart.Debbi@epa.gov]; Parker, Gary [parker.gary@epa.gov]
BCC: Schulman, Marvin [Schulman.Marvin@epa.gov]; McNeal, Detha [McNeal.Detha@epa.gov]; Kuhns, Jason [Kuhns.Jason@epa.gov]
Subject: Re: EPA Draft VERA/VSIP Request Email 3 of 3
Attachments: EPA Organization Charts.pdf; V_V Summary Slides for Leadership 6.16.17.pptx

EPA organization charts and agency level analysis documents.

From: Hunt, Loretta
Sent: Friday, June 16, 2017 7:12 PM
To: Snowden, Gregory A; Mahoney, Michael J; Coleman, Darrell E; Thornton, Cathryn; Butler, Monica; Mulligan, James S. EOP/OMB
Cc: Vizian, Donna; Showman, John; Gray, Linda; Carpenter, Wesley; Hart, Debbi; Parker, Gary
Subject: Re: EPA Draft VERA/VSIP Request Email 2 of 3

EPA's targeted position spreadsheet.

From: Hunt, Loretta
Sent: Friday, June 16, 2017 6:55 PM
To: Snowden, Gregory A; Mahoney, Michael J; Coleman, Darrell E; Thornton, Cathryn; Butler, Monica; Mulligan, James S. EOP/OMB
Cc: Vizian, Donna; Showman, John; Gray, Linda; Carpenter, Wesley; Hart, Debbi; Parker, Gary
Subject: EPA Draft VERA/VSIP Request Email 1 of 3

The U.S. Environmental Protection Agency is submitting a draft VERA/VSIP request to OPM and OMB for review and comment. The agency is submitting one overall request but specific details are included for each program and regional office since the needs of each organization varies. The agency is submitting the following documentation:

1. EPA's VSIP Request (.pdf)
2. EPA's VERA Request (.pdf)
3. Business cases (all contained in one Word file; the Table of Contents provides direct links to each of our 22 business cases)
4. Targeted positions spreadsheets for each office (Excel file)
5. Organization charts (one .pdf file)
6. Agency level analysis/summary slides (PowerPoint)

We will send three emails containing the agency's draft request and supporting documentation.

Should you have any questions or concerns about EPA's request, you may contact me at hunt.loretta@epa.gov; (202)564-6963 or Debbi Hart at hart.debbi@epa.gov; (202) 564-2011.

Thank you in advance for your assistance with EPA's workforce reshaping efforts.

Message

From: Hunt, Loretta [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1E5B5B67E200442F8ECACFC0EA2B2771-LHUNT]
Sent: 6/16/2017 11:12:31 PM
To: Snowden, Gregory A [Gregory.Snowden@opm.gov]; Mahoney, Michael J [Mike.Mahoney@opm.gov]; Coleman, Darrell E [Darrell.Coleman@opm.gov]; Thornton, Cathryn [Cathryn.Thornton@opm.gov]; Butler, Monica [Monica.Butler@opm.gov]; Mulligan, James S. EOP/OMB Ex. 6 - Personal Privacy
CC: Vizian, Donna [Vizian.Donna@epa.gov]; Showman, John [Showman.John@epa.gov]; Gray, Linda [gray.linda@epa.gov]; Carpenter, Wesley [Carpenter.Wesley@epa.gov]; Hart, Debbi [Hart.Debbi@epa.gov]; Parker, Gary [parker.gary@epa.gov]
BCC: Schulman, Marvin [Schulman.Marvin@epa.gov]; McNeal, Detha [McNeal.Detha@epa.gov]; Kuhns, Jason [Kuhns.Jason@epa.gov]
Subject: Re: EPA Draft VERA/VSIP Request Email 2 of 3
Attachments: EPA Targeted Positions.xlsx

EPA's targeted position spreadsheet.

From: Hunt, Loretta
Sent: Friday, June 16, 2017 6:55 PM
To: Snowden, Gregory A; Mahoney, Michael J; Coleman, Darrell E; Thornton, Cathryn; Butler, Monica; Mulligan, James S. EOP/OMB
Cc: Vizian, Donna; Showman, John; Gray, Linda; Carpenter, Wesley; Hart, Debbi; Parker, Gary
Subject: EPA Draft VERA/VSIP Request Email 1 of 3

The U.S. Environmental Protection Agency is submitting a draft VERA/VSIP request to OPM and OMB for review and comment. The agency is submitting one overall request but specific details are included for each program and regional office since the needs of each organization varies. The agency is submitting the following documentation:

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Thank you in advance for your assistance with EPA's workforce reshaping efforts.

Message

From: Hunt, Loretta [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1E5B5B67E200442F8ECACFC0EA2B2771-LHUNT]
Sent: 6/16/2017 10:55:52 PM
To: Snowden, Gregory A [Gregory.Snowden@opm.gov]; Mahoney, Michael J [Mike.Mahoney@opm.gov]; Coleman, Darrell E [Darrell.Coleman@opm.gov]; Thornton, Cathryn [Cathryn.Thornton@opm.gov]; Butler, Monica [Monica.Butler@opm.gov]; Mulligan, James S. EOP/OMB Ex. 6 - Personal Privacy
CC: Vizian, Donna [Vizian.Donna@epa.gov]; Showman, John [Showman.John@epa.gov]; Gray, Linda [gray.linda@epa.gov]; Carpenter, Wesley [Carpenter.Wesley@epa.gov]; Hart, Debbi [Hart.Debbi@epa.gov]; Parker, Gary [parker.gary@epa.gov]
BCC: Schulman, Marvin [Schulman.Marvin@epa.gov]; McNeal, Detha [McNeal.Detha@epa.gov]; Kuhns, Jason [Kuhns.Jason@epa.gov]
Subject: EPA Draft VERA/VSIP Request Email 1 of 3
Attachments: EPA VERA Request.pdf; EPA VSIP Request.pdf; EPA Prog and Reg Business Cases 6-16-17 ver 3.docx

The U.S. Environmental Protection Agency is submitting a draft VERA/VSIP request to OPM and OMB for review and comment. The agency is submitting one overall request but specific details are included for each program and regional office since the needs of each organization varies. The agency is submitting the following documentation:

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6. Agency level analysis/summary slides (PowerPoint)

We will send three emails containing the agency's draft request and supporting documentation.

Should you have any questions or concerns about EPA's request, you may contact me at hunt.loretta@epa.gov; (202)564-6963 or Debbi Hart at hart.debbi@epa.gov; (202) 564-2011.

Thank you in advance for your assistance with EPA's workforce reshaping efforts.

Message

From: Hunt, Loretta [Hunt.Loretta@epa.gov]
Sent: 6/29/2018 3:35:05 PM
To: Snowden, Gregory A [Gregory.Snowden@opm.gov]; Mahoney, Michael J [Mike.Mahoney@opm.gov]; Grossman, Andrea L. EOP/OMB Ex. 6 - Personal Privacy Rosenfield, Eric J. EOP/OMB Ex. 6 - Personal Privacy
CC: Hart, Debbi [Hart.Debbi@epa.gov]
Subject: EPA VERA/VSIP Request
Attachments: R9 V-V Business Case FY18 Final 6-28-2018.docx; VERA-VSIP Targeted Positions and Costs - R9 FY18 6-28-2018.xlsx; R9 FY18 V-V EMD Org Charts - Current & Proposed.pdf

Gregory/Andrea,

I am submitting EPA's draft request for VERA and VSIP authorities to be used at the agency's Region 9 location.

Attached are the following documents:

1. Region 9 Business Case (Word)
2. Region 9 Targeted Positions and Cost Information (Excel, two separate tabs)
3. Region 9 Org Charts (pdf)

The agency would like to complete this VERA/VSIP this FY and hopes the review (and approval when the official request is sent) can be expedited. If you have any questions or concerns, please contact me (information below) or Debbi Hart (hart.debbi@epa.gov or 202-564-2011).

Thanks.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

Message

From: Lane, Vicki [Lane.Vicki@epa.gov]
Sent: 7/20/2018 4:27:33 PM
To: Hunt, Loretta [Hunt.Loretta@epa.gov]
CC: Hart, Debbi [Hart.Debbi@epa.gov]
Subject: Update: U.S. Environmental Protection Agency VERA and VSIP Requests
Attachments: EPA R9 VERA Request 7-18-18.pdf; EPA R9 VSIP Request 7-18-18.pdf; EPA R9 V-V Business Case 7-18-18.pdf; R9 Targeted Positons and Costs 7-17-18.XLSX; EPA R9 V-V EMD Org Charts - Current & Proposed.pdf; EPA R9 VERA Request 7-18-18.pdf

Hi Loretta,
I'm sorry, I just realized that one of the positions listed on the targeted position and costs spreadsheet didn't include one of the positions' occupational series and grade level. Specifically, Ex. 5 - Deliberative Process Ex. 5 - Deliberative Process has been updated. Hopefully, this shouldn't result in a delay since the position title was correctly included in the business case.
Regards, Vicki
415-972-3827

From: Hunt, Loretta
Sent: Wednesday, July 18, 2018 8:49 AM
To: Snowden, Gregory A <Gregory.Snowden@opm.gov>; Mahoney, Michael J <Mike.Mahoney@opm.gov>; Grossman, Andrea L. EOP/OMB Ex. 6 - Personal Privacy Rosenfield, Eric J. EOP/OMB Ex. 6 - Personal Privacy
Cc: Vizian, Donna <Vizian.Donna@epa.gov>; Carpenter, Wesley <Carpenter.Wesley@epa.gov>; Peabody, Hitch <Peabody.Hitch@epa.gov>; Hart, Debbi <Hart.Debbi@epa.gov>; Remmers, Janet <Remmers.Janet@epa.gov>; Lane, Vicki <Lane.Vicki@epa.gov>
Subject: U.S. Environmental Protection Agency VERA and VSIP Requests

Gregory/Andrea,

EPA is submitting VERA and VSIP requests for OPM and OMB's review and approval.

Attached are the following documents:

1. EPA R9 VERA and VSIP Request Forms (pdfs)
2. EPA R9 Business Case (pdf)
3. EPA R9 Targeted Positions and Costs (xlsx)
4. EPA R9 Current and Proposed Org Charts (pdf)

If you have any questions or concerns, please feel free to contact me or Debbi Hart (hart.debbi@epa.gov or 202-564-2011).

Thanks.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963

Email: hunt.loretta@epa.gov

Message

From: Schulman, Marvin [Schulman.Marvin@epa.gov]
Sent: 3/14/2018 4:33:18 PM
To: Hunt, Loretta [Hunt.Loretta@epa.gov]
Subject: RE: EPA Proposed VERA/VSIP for Las Vegas Site Closures

Loretta –

In table B, row B the word "anticipated" is misspelled.

Ex. 5 - Deliberative Process

From: Hunt, Loretta
Sent: Wednesday, March 14, 2018 12:04 PM
To: Kanet, Audrey <kanet.audrey@epa.gov>; Vaughan, Pat <Vaughan.Pat@epa.gov>; Bonner, Jerome <Bonner.Jerome@epa.gov>; Atkinson, Ryan <Atkinson.Ryan@epa.gov>; Taylor, Jeremy <Taylor.Jeremy@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Remmers, Janet <Remmers.Janet@epa.gov>; Schulman, Marvin <Schulman.Marvin@epa.gov>; McNeal, Detha <McNeal.Detha@epa.gov>; Hampton, Torrey <hampton.torrey@epa.gov>
Subject: FW: EPA Proposed VERA/VSIP for Las Vegas Site Closures

Everyone,

Here are OCFO's numbers for VSIP costs and potential relocation. If you have any concerns, please let me know ASAP. Thanks.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Remmers, Janet
Sent: Friday, March 09, 2018 2:07 PM
To: Hunt, Loretta <Hunt.Loretta@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>
Subject: RE: EPA Proposed VERA/VSIP for Las Vegas Site Closures

Attached are budget numbers for the Las Vegas V/V package.
Please let me know if this is what you need or if you need any changes.
Thanks

Janet Remmers, Ph.D.
RPROS
Office of Budget/OCFO

Mail code: 2732A
office: 202-564-0548
aws: 301-593-7870

From: Hunt, Loretta
Sent: Thursday, March 08, 2018 10:18 AM
To: Remmers, Janet <Remmers.Janet@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>
Subject: RE: EPA Proposed VERA/VSIP for Las Vegas Site Closures

Janet

Meet EPA's Relocation Team!

Branch Chief	Ex. 6 - Personal Privacy
Accountant	
Senior Relocation Counselor	
Operations COR	
System Administrator	
Relocation Counselor	
Relocation Counselor	
Relocation Counselor	

Student (Financial Management)	Ex. 6 - Personal Privacy

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Remmers, Janet
Sent: Wednesday, March 07, 2018 6:32 AM
To: Hunt, Loretta <Hunt.Loretta@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>
Subject: RE: EPA Proposed VERA/VSIP for Las Vegas Site Closures

Do you have a contact for FERC?

Janet Remmers, Ph.D.
RPROS
Office of Budget/OCFO
Mail code: 2732A
office: 202-564-0548
aws: 301-593-7870

From: Hunt, Loretta
Sent: Tuesday, March 06, 2018 4:48 PM
To: Remmers, Janet <Remmers.Janet@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>
Subject: FW: EPA Proposed VERA/VSIP for Las Vegas Site Closures

Janet,

It looks like we'll need to work with FERC for relocation estimates.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Atkinson, Ryan
Sent: Tuesday, March 06, 2018 3:36 PM
To: Hunt, Loretta <Hunt.Loretta@epa.gov>; Bonner, Jerome <Bonner.Jerome@epa.gov>

Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Vaughan, Pat <Vaughan.Pat@epa.gov>; Kanet, Audrey <kanet.audrey@epa.gov>; Taylor, Jeremy <Taylor.Jeremy@epa.gov>; Remmers, Janet <Remmers.Janet@epa.gov>
Subject: RE: EPA Proposed VERA/VSIP for Las Vegas Site Closures

Hi Loretta,

We will be able to provide the severance information - I sent that to Cathy Davis to respond for the ORD list. However, we can't provide information on relocation cost, that would be handled by FERC. Thanks!

Ryan Atkinson
Deputy Director
US EPA, HRMD, RTP
Phone: 919-541-2425
Fax: 919-541-1360

OARM-RTP SERVE. SOLVE. COLLABORATE.

CONFIDENTIALITY: This communication may contain privileged or other confidential information. If you are not the intended addressee, or believe you have received this communication in error, you may neither copy, disseminate, nor distribute it to anyone else or use it in any unauthorized manner; to do so is strictly prohibited and may be unlawful. If you receive this email by mistake, please advise the sender immediately by using the reply facility in your mail software and delete it from your computer. "Information in this message may be subject to the Privacy Act (5 USC 552a) and should be treated accordingly."

From: Hunt, Loretta
Sent: Tuesday, March 06, 2018 3:24 PM
To: Atkinson, Ryan <Atkinson.Ryan@epa.gov>; Bonner, Jerome <Bonner.Jerome@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Vaughan, Pat <Vaughan.Pat@epa.gov>; Kanet, Audrey <kanet.audrey@epa.gov>; Taylor, Jeremy <Taylor.Jeremy@epa.gov>; Remmers, Janet <Remmers.Janet@epa.gov>
Subject: RE: EPA Proposed VERA/VSIP for Las Vegas Site Closures
Importance: High

Ryan/Jerome,

Will you be able to provide Janet the relocation and severance information as requested below? I've attached ORD's list (ignore the PHS entry). Jerome already has LV's list.

Thanks.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Hunt, Loretta
Sent: Monday, March 05, 2018 4:57 PM
To: Remmers, Janet <Remmers.Janet@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Vaughan, Pat <Vaughan.Pat@epa.gov>; Kanet, Audrey

<kanet.audrey@epa.gov>; Bonner, Jerome <Bonner.Jerome@epa.gov>; Ryan Atkinson <Atkinson.Ryan@epa.gov>; Taylor, Jeremy <Taylor.Jeremy@epa.gov>
Subject: RE: EPA Proposed VERA/VSIP for Las Vegas Site Closures

Janet,

RTP and Cincinnati SSCs are the best POCs for severance information. Entitlement to severance is determined by such factors as whether or not an employee is optional retirement eligible or has received severance in the past. I also believe they have been working with FERC on relocation information and can probably assist with that too.

I have copied the SSC Directors on this email so they know you need assistance.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Remmers, Janet
Sent: Monday, March 05, 2018 4:34 PM
To: Hunt, Loretta <Hunt.Loretta@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>
Subject: RE: EPA Proposed VERA/VSIP for Las Vegas Site Closures

With OMB's lastest guidance on how to calculate the costs and savings, we will need more information about the individuals, if it is available. Do you have the amount of severance pay each employee would get if they had an adverse action? I understand that some might not be eligible for severance pay. If that is not available, do you have an estimate for the population of if all were separated?

We will also need an estimate of a relocation costs. Do you have that estimate?

Janet Remmers, Ph.D.
RPROS
Office of Budget/OCFO
Mail code: 2732A
office: 202-564-0548
aws: 301-593-7870

From: Hunt, Loretta
Sent: Monday, March 05, 2018 4:08 PM
To: Grossman, Andrea L. EOP/OMB Ex. 6 - Personal Privacy Remmers, Janet <Remmers.Janet@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Rosenfield, Eric J. EOP/OMB Ex. 6 - Personal Privacy
Subject: RE: EPA Proposed VERA/VSIP for Las Vegas Site Closures

Andrea,

Ex. 5 - Deliberative Process

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov

From: Grossman, Andrea L. EOP/OMB Ex. 6 - Personal Privacy
Sent: Monday, March 05, 2018 3:20 PM
To: Remmers, Janet <Remmers.Janet@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Rosenfield, Eric J. EOP/OMB Ex. 6 - Personal Privacy Hunt, Loretta <Hunt.Loretta@epa.gov>
Subject: RE: EPA Proposed VERA/VSIP for Las Vegas Site Closures

Ex. 5 - Deliberative Process

Andrea Grossman
Program Examiner, OMB Environment Branch
202-395-4756

From: Remmers, Janet [mailto:Remmers.Janet@epa.gov]
Sent: Monday, March 5, 2018 3:16 PM
To: Grossman, Andrea L. EOP/OMB Ex. 6 - Personal Privacy
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Rosenfield, Eric J. EOP/OMB Ex. 6 - Personal Privacy Hunt, Loretta <Hunt.Loretta@epa.gov>
Subject: RE: EPA Proposed VERA/VSIP for Las Vegas Site Closures

I thought we needed to calculate the V/V cost/savings on the assumption of Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Janet Remmers, Ph.D.
RPROS
Office of Budget/OCFO
Mail code: 2732A
office: 202-564-0548
aws: 301-593-7870

From: Grossman, Andrea L. EOP/OMB Ex. 6 - Personal Privacy
Sent: Monday, March 05, 2018 2:59 PM
To: Hunt, Loretta <Hunt.Loretta@epa.gov>; Remmers, Janet <Remmers.Janet@epa.gov>

Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Rosenfield, Eric J. EOP/OMB Ex. 6 - Personal Privacy
Subject: RE: EPA Proposed VERA/VSIP for Las Vegas Site Closures

Loretta and others,

Ex. 5 - Deliberative Process

Thoughts on your end- am I missing anything major?

Andrea Grossman
Program Examiner, OMB Environment Branch
202-395-4756

From: Hunt, Loretta [mailto:Hunt.Loretta@epa.gov]
Sent: Thursday, March 1, 2018 9:36 AM
To: Remmers, Janet <Remmers.Janet@epa.gov>
Cc: Hart, Debbi <Hart.Debbi@epa.gov>; Grossman, Andrea L. EOP/OMB Ex. 6 - Personal Privacy
Rosenfield, Eric J. EOP/OMB Ex. 6 - Personal Privacy
Subject: Re: EPA Proposed VERA/VSIP for Las Vegas Site Closures

Thanks, forgot about that tasker.

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
OARM/OHR/PPTD
U.S. Environmental Protection Agency
Email: hunt.loretta@epa.gov
Phone: (202)564-6963

On Mar 1, 2018, at 6:15 AM, Remmers, Janet <Remmers.Janet@epa.gov> wrote:

> Loretta,
> Were you also going to check to see if we had the average salary and average Annual Leave balances for the target population?
> This could be used in the cost estimates.
>
> Janet Remmers, Ph.D.
> RPROS
> Office of Budget/OCFO
> Mail code: 2732A
> office: 202-564-0548
> aws: Ex. 6 - Personal Privacy
>
> ---
>
> **From:** Hunt, Loretta
> **Sent:** Wednesday, February 28, 2018 3:28 PM
> **To:** Grossman, Andrea L. EOP/OMB Ex. 6 - Personal Privacy Rosenfield, Eric J. EOP/OMB Ex. 6 - Personal Privacy Remmers, Janet <Remmers.Janet@epa.gov>
> **Cc:** Hart, Debbi <Hart.Debbi@epa.gov>
> **Subject:** EPA Proposed VERA/VSIP for Las Vegas Site Closures
>
> Thanks again for meeting with me today. I just wanted to briefly capture the major points from our discussion.
>
> 1.
> 2.
> 3.
> 4.
>
> Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Loretta L. Hunt
Branch Chief
Policy and Accountability Branch
Policy, Planning and Training Division
Office of Human Resources
U.S. EPA
Phone: (202) 564-6963
Email: hunt.loretta@epa.gov